



**DEPARTMENT OF COMMUNITY PLANNING AND BUILDING
INTEROFFICE MEMORANDUM**

TO: Board of County Commissioners
Planning Commission *TLS*

VIA: Terry Shannon, County Administrator
Thomas Barnett, AICP¹, Director *TB*
Yolanda Hipski, AICP, Planning Commission Administrator *YH*

FROM: Jenny Plummer-Welker, AICP, Long Range Planner *JP*

DATE: August 14, 2015

SUBJECT: August 25, 2015 Joint Public Hearing - Text Amendment 13-10
Huntingtown Master Plan and Zoning Ordinance

Background

Mark Davis, on behalf of Oldtown Automobile and Truck Sales, Inc., submitted an application for amendments to the Huntingtown Master Plan and Zoning Ordinance.

The proposed Huntingtown Master Plan amendments include amendments to the Huntingtown Town Center Master Plan Map (Exhibit 8 and Figure 5) and text amendments to a landscaping action under Community Appearance (Section IV E. Landscaping 2). Proposed amendments would modify the extent and location of the wooded buffer along the Town Center's eastern boundary along MD 2/4. Proposed Huntingtown Zoning Ordinance amendments include text amendments to setbacks from roads (Article 5, Section 5-3). Proposed amendments would modify the extent and location of the 100 foot buffer setback from MD 2/4.

Discussion

A joint public hearing of the Calvert County Planning Commission and the Board of County Commissioners is scheduled for Tuesday, August 25, 2015.

The Staff Report is attached.

Recommendation/Conclusion

Recommend that the Board of County Commissioners and the Planning Commission hold the joint public hearing, decide whether to close the public record or keep it open, and once the record is closed, take action on the proposed text amendments.

¹ American Institute of Certified Planners

Attachments:	Cover Sheet	<i>Conduct of Public Hearings and Meetings</i>
	Agenda	Staff Report with Attachments (Proposed Amendments, Application, Letters
	Legal Notice	from Applicant, Agency Comments, Public Comments, etc.)
		Slides

Calvert County Board of County Commissioners and Planning Commission



Proposed Amendments to the Huntingtown Master Plan and Zoning Ordinance

August 25, 2015 Public Hearing



Text Amendment Case No. 13-10

Proposed Amendments to the Huntingtown Master Plan and Zoning Ordinance

The Master Plan text amendments propose to amend the Huntingtown Town Center Master Plan Map (Exhibit 8 and Figure 5) and a landscaping action. The zoning ordinance text amendments propose to amend the setbacks from roads.

Proposed Amendments

- Text amendment application submitted by Mark Davis on behalf of Oldtown Automobile and Truck Sales, Inc.

Proposed Map Amendments

Huntingtown Town Center Master Plan Map

- Exhibit 8
Huntingtown
Town Center
Master Plan Map
- Figure 5
Landscape Buffer



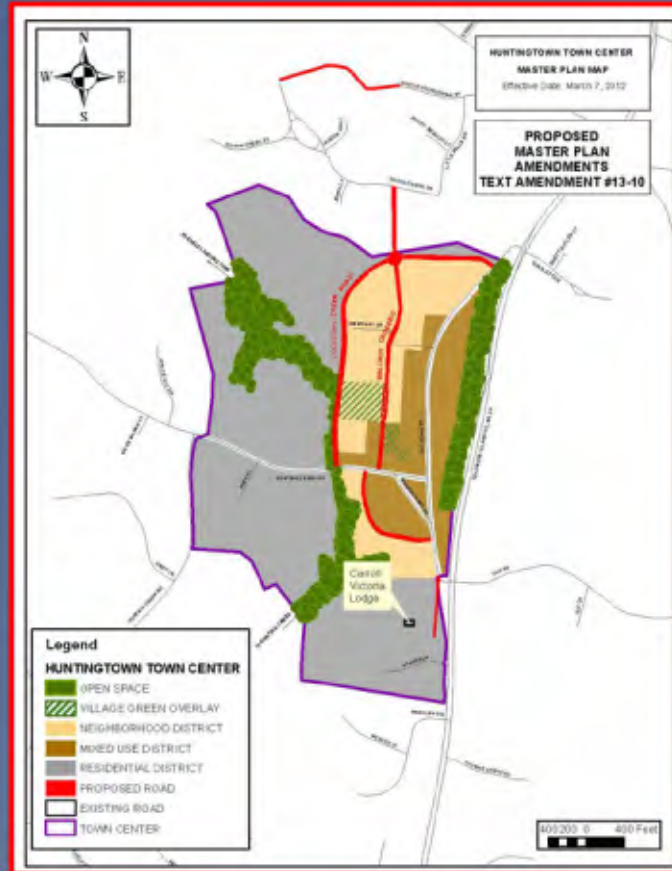
Existing map proposed
to be removed

Proposed Map Amendments

Huntingtown Town Center Master Plan Map

- Exhibit 8
Huntingtown Town Center Master Plan Map
- Figure 5
Landscape Buffer

Proposed map



Proposed Master Plan Amendments

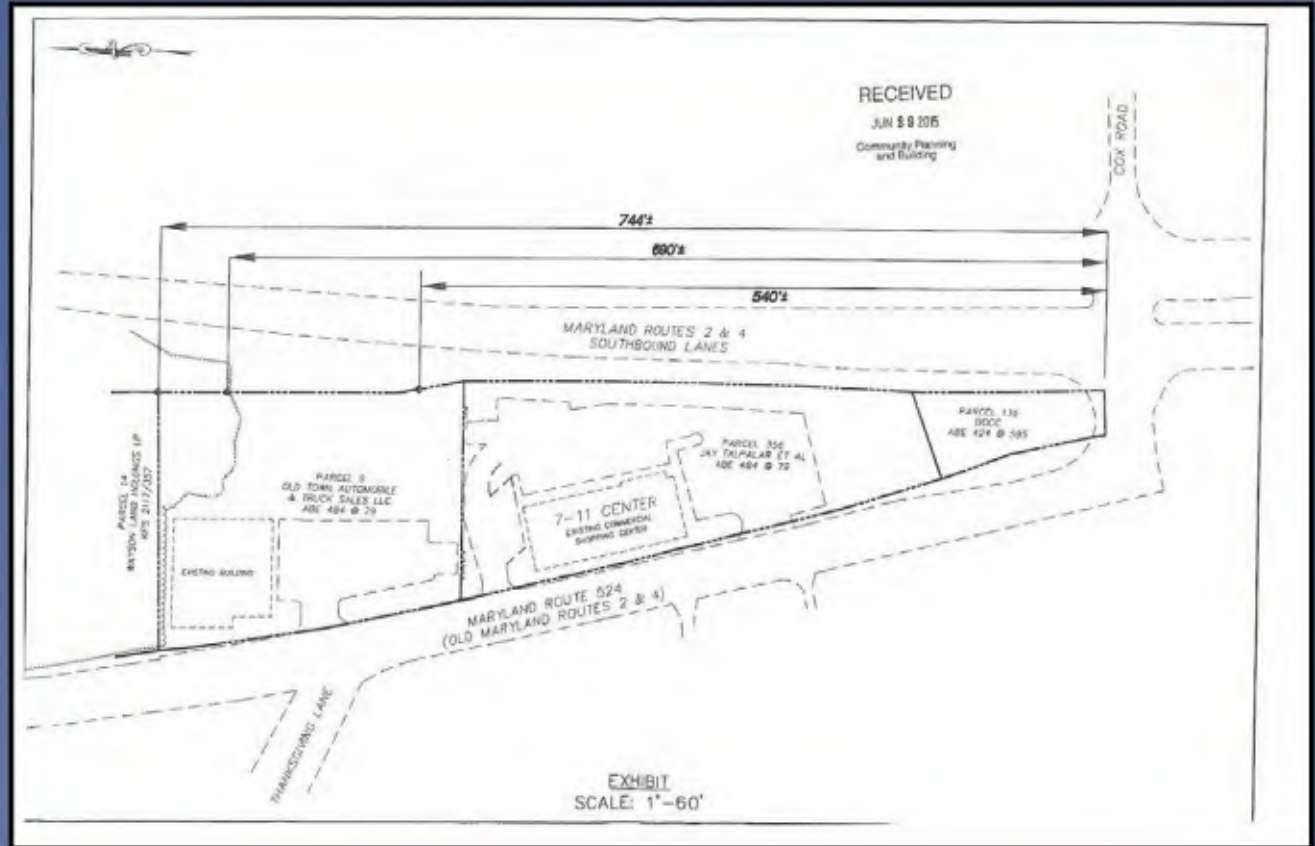
Preserve a 100 foot wooded buffer along the Town Center's frontage on MD 2/4 from the northern intersection with Old Town Road to **the northern boundary of Parcel 9 on Tax Map 18**, approximately ~~540~~ **744** feet north of the southern intersection of Old Town Road with MD 2/4 (as measured from the southeast corner of Parcel 135 on Tax Map 18). This will buffer the town from MD 2/4, screen the rear of any new development along the east side of Old Town Road from MD 2/4, and preserve the attractive natural setting along MD 2/4.

Proposed Zoning Ordinance Amendments

A 100 foot **wooded** buffer setback from MD 2/4 applies from the northern intersection ~~of~~ **with** Old Town Road to ~~proposed over/underpass~~ **the northern boundary of Parcel 9 on Tax Map 18, approximately 744 feet north of the southern intersection of Old Town Road with MD 2/4 (as measured from the southeast corner of Parcel 135 on Tax Map 18).**
~~Natural vegetation shall be retained in this area.~~

Applicant's Map

Exhibit showing distance from northern boundary of applicant's property to southeast corner of Parcel 135



Comments

- Agency comments
- Public comments

Setbacks

Huntingtown Zoning Ordinance

100 foot	Wooded buffer setback from MD 2/4 for applicable properties
10 feet	Front Yard Setback, Principal Structures, Mixed Use District
0 feet	Front Yard Setback, Accessory Structures, Mixed Use District
35 feet	Setback for Parking Lot (Huntingtown refers to County ZO)

Consistency with 2010 Calvert County Comprehensive Plan

Land Use & Growth Management Objectives

- Develop town centers as attractive, pleasant and convenient places to live, work and shop
- Direct commercial and industrial uses to appropriate locations

Next Steps

- Public Comment
- Discussion
- Staff's concluding comments
- Action by Planning Commission
- Action by County Commissioners

Conclusion/Staff Recommendations

1. Decide whether to close the public record or keep it open.
2. Once the record is closed, take action on the proposed text amendments.

Text Amendment Case #13-10

Huntingtown Master Plan and Zoning Ordinance

Joint Public Hearing of the
Calvert County
Board of County Commissioners
and
Calvert County
Planning Commission

August 25, 2015

AGENDA
Joint Public Hearing
Board of County Commissioners of Calvert County &
Calvert County Planning Commission
Tuesday, August 25, 2015 at 7:00 p.m.
Courthouse Square, Ground Floor, 205 Main Street
Prince Frederick, Maryland 20678

The purpose of the hearing is to consider and receive comments on the proposed changes to Huntingtown Master Plan and Zoning Ordinance.

TOPIC OF HEARING:

TA Case #13-10 Proposed Amendments to the Huntingtown Master Plan and Zoning Ordinance

The Proposed Huntingtown Master Plan amendments include amendments to the Huntingtown Town Center Master Plan Map (Exhibit 8 and Figure 5) and text amendments to a landscaping action under Community Appearance (Section IV E. Landscaping 2). Proposed amendments would modify the extent and location of the wooded buffer along the Town Center's eastern boundary along MD 2/4. Proposed Huntingtown Zoning Ordinance amendments include text amendments to setbacks from roads (Article 5, Section 5-3).

The Following Procedures Will Be Followed During the Hearing:

1. Hearing opened by President of Board of County Commissioners, and then turned over to Chairman of Planning Commission.
2. Staff's presentation of the proposed text amendments.
3. Public comments. Comments from individuals will be limited to a maximum of two minutes. Comments from persons representing organizations will be limited to a maximum of five minutes.
4. Discussion & Staff's concluding comments.
5. Action by Planning Commission (*may be deferred to next meeting*).
6. Action by County Commissioners (*to be determined after Planning Commission takes action*).

The *Procedures for Public Comment* is attached.

Submit written comments to:
Calvert County Planning Commission
150 Main Street, Suite 300, Prince Frederick, MD 20678
E-mail: pz@co.cal.md.us
Fax: 410-414-3092

**LEGAL NOTICE - PUBLIC HEARING
CALVERT COUNTY BOARD OF COUNTY COMMISSIONERS
AND CALVERT COUNTY PLANNING COMMISSION
REGARDING TEXT AMENDMENT CASE NO. 13-10, PROPOSED AMENDMENTS TO
HUNTINGTOWN MASTER PLAN AND ZONING ORDINANCE**

The Calvert County Board of County Commissioners and Calvert County Planning Commission will hold a **Joint Public Hearing on Tuesday, August 25, 2015 at 7:00 p.m.** in the Courthouse Square Conference Room, 205 Main Street, Prince Frederick, Maryland, to consider and receive comments on the proposed changes to Huntingtown Master Plan and Zoning Ordinance.

The Proposed Huntingtown Master Plan amendments include amendments to the Huntingtown Town Center Master Plan Map (Exhibit 8 and Figure 5) and text amendments to a landscaping action under Community Appearance (Section IV E. Landscaping 2). Proposed amendments would modify the extent and location of the wooded buffer along the Town Center's eastern boundary along MD 2/4. Proposed Huntingtown Zoning Ordinance amendments include text amendments to setbacks from roads (Article 5, Section 5-3).

The description provided in this legal notice is intended to give a fair summary of the changes to be considered at the public hearing. Because the changes are comprehensive and numerous, it is not practical to list them all in this notice. Interested persons are urged to view the proposal in its entirety by either contacting the Department of Community Planning & Building at (410) 535-1600, ext. 2333, pz@co.cal.md.us, or by viewing the local amendments on the County's website at: www.co.cal.md.us. The proposed provisions may be substantively modified, revised, amended or otherwise changed based upon comments received at the public hearing.

The Board of County Commissioners does not discriminate on the basis of age, sex (including pregnancy) (except where age or sex are essential bona fide occupational requirements), sexual orientation, marital status, ancestry or national origin, religion, race, color, genetic information, actual or perceived disability, or gender-related identity or expression. Any reasonable accommodation for persons with disabilities or linguistic barriers should be requested by contacting the Board of County Commissioners office at (410) 535-1600 ext. 2202 or TTY: 1-800-735-2258.

CONDUCT AT PUBLIC HEARINGS AND MEETINGS

The Calvert County Board of County Commissioners has adopted guidelines for public hearings and meetings that provide all speakers the right to be heard without interference and further provides equal rights to those in attendance to be able to hear speakers. Attendees shall maintain order and decorum in keeping with the dignity of the government process, and shall refrain from interfering with the public hearing process.

The following rules shall be observed by attendees:

1. Posters, signs, and placards shall not be permitted within the public hearing room.
2. Identification devices such as badges and other distinguishing devices will be permitted as long as the devices will not interfere with the conduct of the public meeting.
3. Only those speakers individually recognized by the official conducting the hearing will be permitted to speak. No outbursts, applause, supportive or non-supportive behavior will be directed toward officials, speakers, or any person in attendance.

Persons not following the rules for proper conduct shall be asked to leave the room and, if necessary, shall be escorted by a deputy sheriff and be subject to the laws of the State of Maryland as well as the laws of Calvert County.

Procedures for Expressing Views

1. Written statements may be submitted to the Clerk of the Board of County Commissioners in attendance prior to the hearing or following the closing of the hearing up until the time the record is officially closed.
2. A sign-up sheet shall be provided for speakers 30 minutes prior to the scheduled public hearing. Speakers will be allowed to sign-up for one hour after the scheduled starting time of the hearing. Persons on the sign-up sheet may not convey, transfer, or relinquish any part of their speaking time to another person or group.
3. The presiding officer shall limit speakers to a predetermined time limit and shall state the limits at the beginning of the session. Following comments within the time limits prescribed, the speaker will not be permitted to make additional comments.
4. After being recognized by the presiding official, each speaker shall come forward and state the following information for the record of the hearing:
 - Name and Address
 - State whether speaking as an individual or for a group
 - Remarks

A copy of these rules shall be provided at each public hearing or meeting.

STAFF REPORT

TEXT AMENDMENT CASE NO. 13-10

PROPOSED AMENDMENTS OF THE HUNTINGTOWN TOWN CENTER MASTER PLAN
MAP AND SECTION IV. E AND ARTICLE 5, SECTION 5-3 OF THE
HUNTINGTOWN MASTER PLAN AND ZONING ORDINANCE

**Re: Huntingtown Town Center Master Plan Map, Wooded Buffer and
Buffer Setback from MD 2/4**

DATE PREPARED:

August 14, 2015

WORK SESSION DATES:

August 20, 2013 – Board of County Commissioners Work Session

September 18, 2013 – Calvert County Planning Commission's Work Session #1

December 11, 2013 – Calvert County Planning Commission's Work Session #2

August 25, 2015 – Board of County Commissioners Work Session (day of Joint Public Hearing)

PUBLIC HEARING DATES:

April 1, 2014 – Deferred at the request of the Applicant

August 25, 2015

AMENDMENTS PROPOSED BY:

Mark Davis, on behalf of Oldtown Automobile and Truck Sales, Inc.

PURPOSE OF AMENDMENTS:

The proposed Huntingtown Master Plan amendments include amendments to the Huntingtown Town Center Master Plan Map (Exhibit 8 and Figure 5) and text amendments to a landscaping action under Community Appearance (Section IV E. Landscaping 2). Proposed amendments would modify the extent and location of the wooded buffer along the Town Center's eastern boundary along MD 2/4. Proposed Huntingtown Zoning Ordinance amendments include text amendments to setbacks from roads (Article 5, Section 5-3). Proposed amendments would modify the extent and location of the 100 foot buffer setback from MD 2/4. The proposed Huntingtown Master Plan and Zoning Ordinance amendments are attached.

BACKGROUND/PROPOSED AMENDMENTS:

The Huntingtown Master Plan and Zoning Ordinance was adopted by the Calvert County Board of County Commissioners in 1993. The adoption followed a two-year public process to develop the master plan and zoning ordinance.

In 2013, Mr. Davis, on behalf of the Applicant, submitted an Application for Zoning Ordinance and Master Plan amendments (attached, dated August 19, 2013). The applicant's proposed amendments would modify the extent and location of the southern terminus of the wooded buffer/buffer setback. Mr. Davis subsequently submitted additional information (attached, letter dated December 19, 2013).

The previous Board of County Commissioners directed staff to prepare additional text amendment options and present them during a work session with the Planning Commission. The

Planning Commission reviewed four options and decided to proceed with three. The proposed options were distributed for agency review. These options, along with another option that the Planning Commission included, were sent to the Maryland State Clearinghouse for State agency review.

The Community Planning & Building Department hosted a public informational meeting on March 26, 2014. The meeting was attended by about 75 people.

On March 28, 2014, Mr. Davis, on behalf of his client, requested that further action on the text amendment be deferred (attached, letter dated March 28, 2014). Per the Applicant's request, no further action was taken, and the public hearing scheduled for April 1, 2014, was cancelled.

On June 29, 2015, Mr. Davis wrote that the Applicant requests that the process for Text Amendment #13-10 be reactivated and that a Joint Public Hearing be scheduled at the earliest possible date and that the Applicant wishes to amend the previous request (attached, letter dated June 29, 2015).

Per the Applicant's request, the Joint Public Hearing was scheduled for the earliest possible date. Staff was directed to proceed with the Applicant's request, as modified per the Applicant's request, and not with the other amendment options for the buffer and the amendments for set-backs for principal and accessory structures, previously proposed.

Supplemental background information regarding Board of Appeals cases related to the Applicant's property on Old Town Road, Huntingtown Master Plan and Zoning Ordinance text amendments that become effective in 2012, and the development of options by the prior Board of County Commissioners is attached.

AGENCY AND PUBLIC COMMENTS:

It is the County's standard practice to distribute master plan and zoning ordinance amendments to State, regional, and local agencies for comment. State code, *Land Use Article* of the Annotated Code of Maryland, specifies that at least 60 days before the public hearing, the planning commission shall provide copies of the recommended amendments to the plan to adjoining jurisdictions and state agencies. This requirement applies to plans, such as county comprehensive plans, and area plans like Calvert County's Town Center Master Plans.

Agencies were requested to comment (memorandum dated September 25, 2013, and memorandum dated January 14, 2014, attached). The following agencies submitted responses (attached).

- Calvert County Health Department Division of Environmental Health
- Calvert County Economic Development Commission
- Calvert County Economic Development Department
- Calvert County Forest Conservancy District Board
- Calvert County Agricultural Commission
- Huntingtown Architectural Review Committee
- Maryland Department of Planning
- Maryland Department of Transportation

The proposed text amendments, revised per the Applicant's June 29, 2015, request, are encompassed within the options previously distributed for agency review. Ten sets of comments were received from the public (attached, dated between March 26, 2014 and March 31, 2014).

SETBACKS

Six of the seven Town Centers are adjacent to or bisected by MD 4 or MD 2/4. For three of the Town Centers (Lusby, St. Leonard, Solomons Town Centers) and for land outside the Town Centers along arterial roads (which include MD 4 and MD 2/4), the minimum setback is 100 feet for non-residential buildings and uses. For Prince Frederick, the minimum setback is 35 feet. Dunkirk refers to the County Zoning Ordinance. The County Zoning Ordinance specifies a minimum front setback of 100 feet from arterial roads.

The minimum front yard setback requirement for properties in Huntingtown Town Center's Mixed Use District is 10 feet for principal structures and 0 feet for accessory structures. The Huntingtown Zoning Ordinance states that the parking and loading requirements in the Calvert County Zoning Ordinance apply in the Mixed Use District with an exception regarding parallel parking spaces (Section 5-2). The Calvert County Zoning Ordinance establishes minimum setbacks for parking lots in Section 6-2.01, in Table 6-1: the minimum setback for parking lots is 35 feet from arterial roads and 20 feet from all other roads.

CONSISTENCY WITH COMPREHENSIVE PLAN:

The key objectives from the Land Use & Growth Management section of the 2010 Calvert County Comprehensive Plan related to this Text Amendment case are:

- Develop town centers as attractive, pleasant and convenient places to live, work and shop
- Direct commercial and industrial uses to appropriate locations

Other pertinent objectives, discussion, and actions are excerpted and attached.

CONCLUSION/STAFF RECOMMENDATIONS:

1. Decide whether to close the public record or keep it open.
2. Once the record is closed, take action on the proposed text amendments.

Attachments:

Proposed Amendments Huntingtown Master Plan and Zoning Ordinance
Application, dated August 19, 2013
Letter from Mark Davis, dated December 19, 2013
Letter from Mark Davis, dated March 28, 2014
Letter from Mark Davis, dated June 29, 2015
Supplemental Background Information
Memorandum to Agencies, Request for Comments, dated September 25, 2013
Memorandum to Maryland State Clearinghouse, dated January 14, 2014
Agency Comments
Public Comments
Consistency with Comprehensive Plan

Text Amendment Case #13-10

Huntingtown Master Plan and Zoning Ordinance

Various Sections of Huntingtown Master Plan Map and Zoning Ordinance

Black font – existing ordinance language

Red font – proposed ordinance language

~~Black Strikethrough~~ – existing ordinance language to be removed

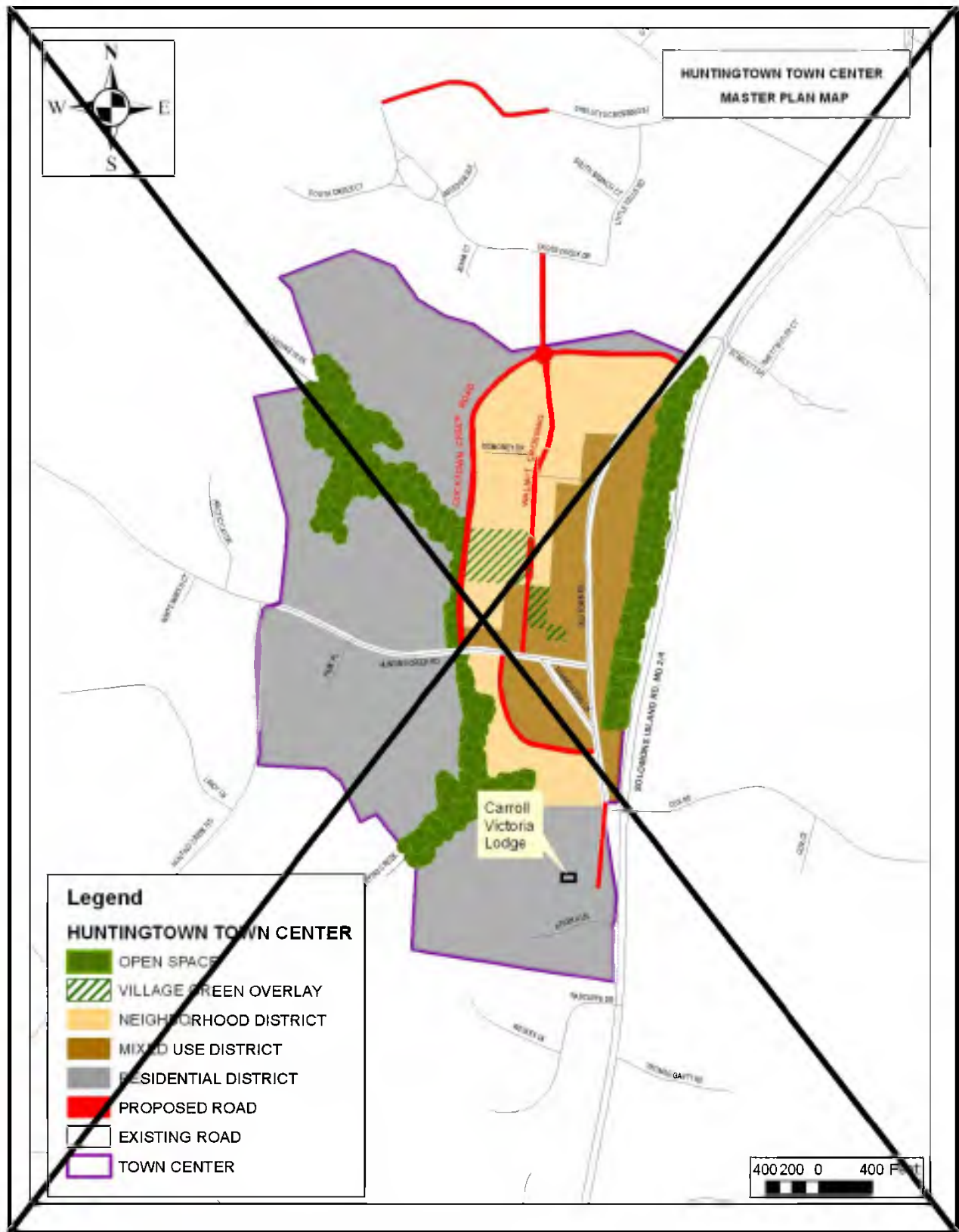


EXHIBIT 8 HUNTINGTOWN TOWN CENTER MASTER PLAN

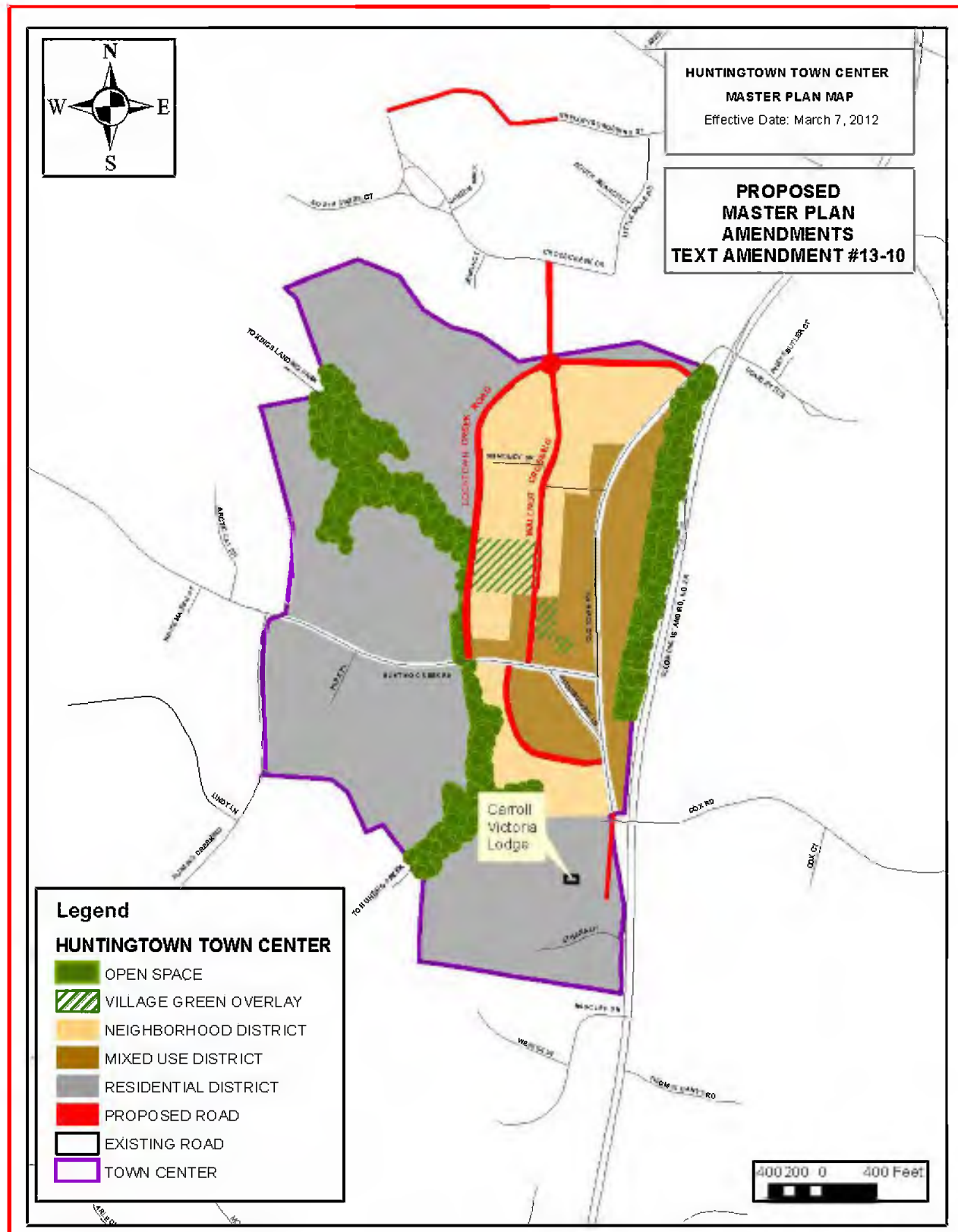


EXHIBIT 8 HUNTINGTOWN TOWN CENTER MASTER PLAN

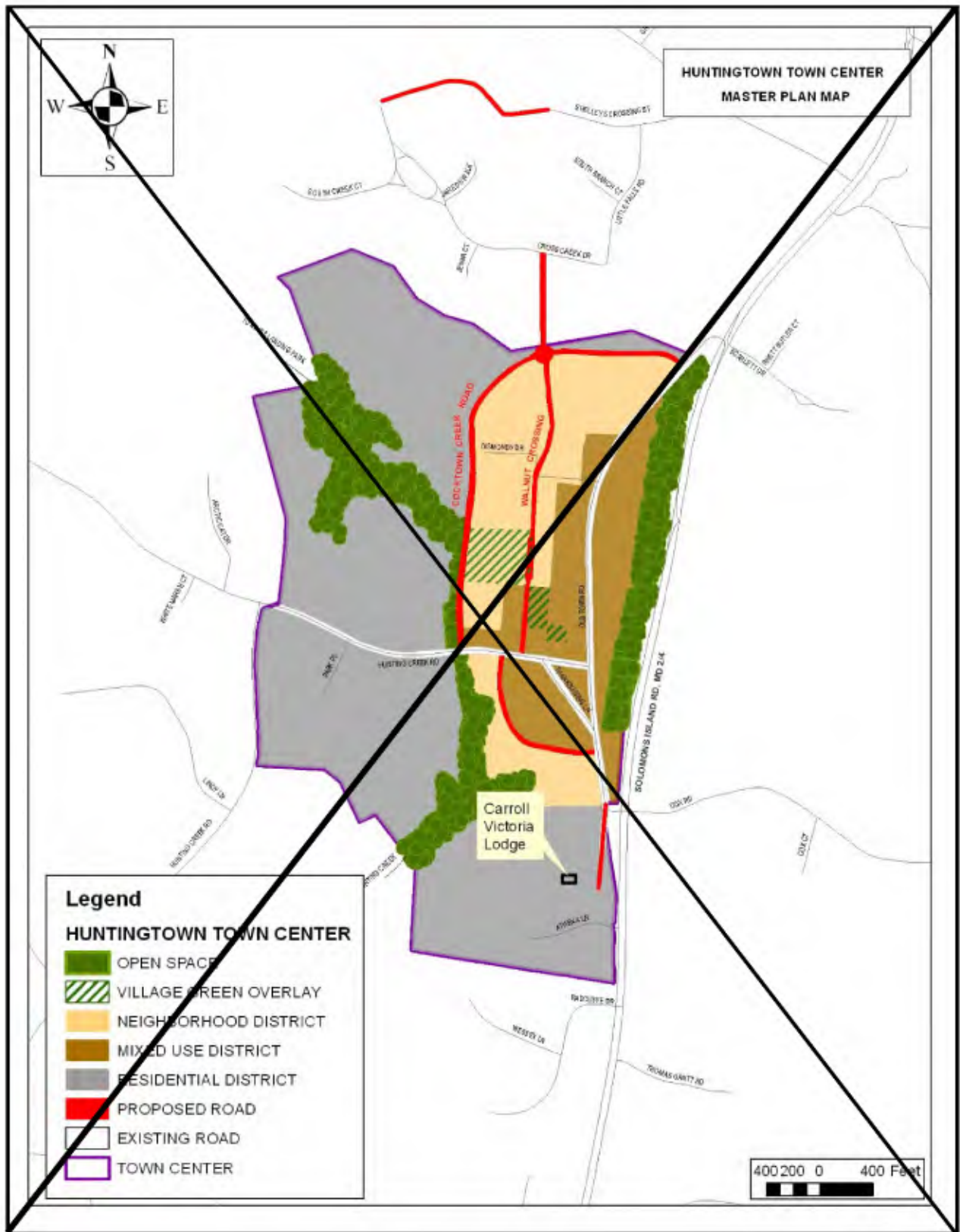


Figure 5
Landscape Buffer

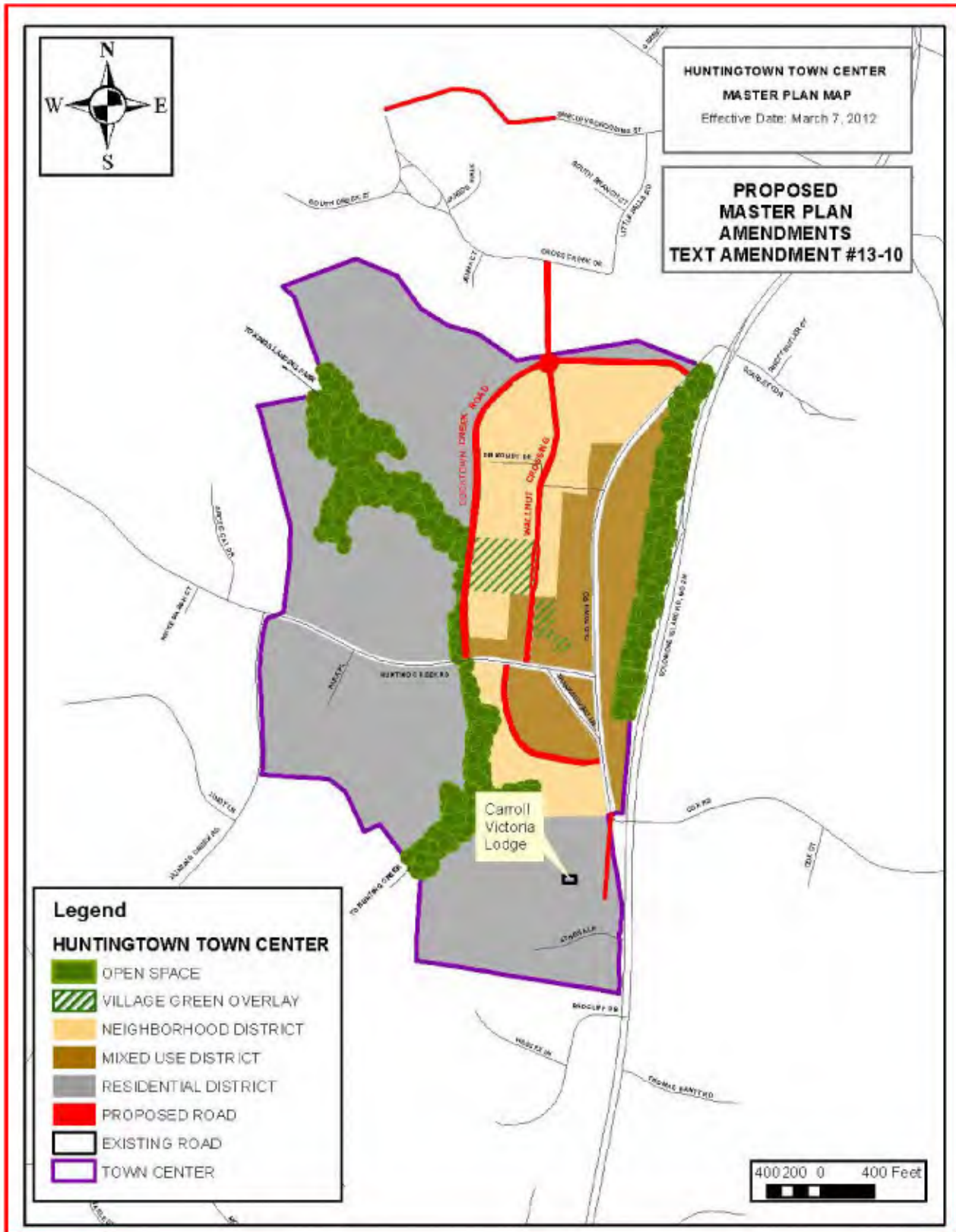


Figure 5
Landscape Buffer

E. Community Appearance

Huntingtown has been fortunate in that most new development has complimented traditional local architectural styles characterized by peaked tin roofs, front porches, clapboard siding and shutters. Community appearance requirements addressing architecture, landscaping, signage, and lighting will encourage new development to preserve the small town character of Huntingtown. Furthermore, these appearance standards can help enhance Huntingtown's streetscape and contribute to a distinctive sense of place.

{Section on Architecture – No Changes Proposed}

Landscaping

ACTIONS:

1. Adopt specific landscape standards addressing screening of objectionable views, street trees, and landscaping within parking lots.
2. Preserve a 100 foot wooded buffer along the Town Center's frontage on MD 2/4 from the northern intersection with Old Town Road to **the northern boundary of Parcel 9 on Tax Map 18**, approximately ~~540~~ **744** feet north of the southern intersection of Old Town Road with MD 2/4 (as measured from the southeast corner of Parcel 135 on Tax Map 18). This will buffer the town from MD 2/4, screen the rear of any new development along the east side of Old Town Road from MD 2/4, and preserve the attractive natural setting along MD 2/4.

ARTICLE 5: DEVELOPMENT REQUIREMENTS

5-0 Zoning Requirements for Principal Structures

Zoning requirements for principal structures are listed below. Where district boundaries meet, the more restrictive front, side and rear setbacks of the two districts apply.

REQUIREMENTS	MIXED USE DISTRICT	NEIGHBORHOOD DISTRICT	RESIDENTIAL DISTRICT
Minimum Lot Size	N/A	15,000 square feet (s.f.) ¹	40,000 s.f. 15,000 s.f. with Transfer Zone or cluster with Public Water
Minimum Lot Width	16 feet	100 feet	100 feet
Maximum Building Coverage	70%	30%	25% - Transfer Zones within Residential Dist. Should meet criteria of Neighborhood Dist.
Front Yard Setback	10 feet	10 feet	25 feet
Side Yard Setback	0 feet	15 feet*	20 feet
Rear Yard Setback	10 feet	25 feet*	35 feet

5-1 Zoning Requirements for Accessory Structures

REQUIREMENT	MIXED USE	NEIGHBORHOOD	RESIDENTIAL
Front Yard Setback	0'	Not permitted	Not permitted
Side Yard Setback	0'	5'	5'
Rear Yard Setback	5'	5'	5'

5-2 Parking

The parking and loading requirements contained in the Calvert County Zoning Ordinance apply in the Mixed Use District with the exception that where parallel parking spaces are permitted in the public right-of-way in accordance with the Huntingtown Master Plan they may be credited toward satisfying minimum parking requirements for the use at 1 parking space per 20 linear feet of street frontage. Other than this on-street parking and parking for residential use, no parking is allowed in a front yard within the Mixed Use District with the exception of east Rt. 524 where parking is recommended to be in the rear but not required.

5-3 Setbacks from Roads

A 100 foot **wooded** buffer setback from MD 2/4 applies from the northern intersection of **with** Old Town Road to **proposed over/underpass the northern boundary of Parcel 9 on Tax Map 18, approximately 744 feet north of the southern intersection of Old Town Road with MD 2/4 (as measured from the southeast corner of Parcel 135 on Tax Map 18).** ~~Natural vegetation shall be retained in this area.~~

¹ Where communal septic systems are provided within the Neighborhood District, the minimum lot size and setback requirements may be modified with the approval of the Planning Commission. However, the overall density may not exceed 1 unit/15,000 square feet.

COUNTY COMMISSIONERS OF CALVERT COUNTY
PRINCE FREDERICK, MARYLAND

☒ ZONING ORDINANCE/AMENDMENT and Master Plan
☐ SUBDIVISION REGULATION AMENDMENT

Case No. 13-10

Date 8/19/2013

GENERAL DATA

Name of Applicant

Oldtown Automobile
and Truck Sales, Inc.

Address

6475 Solomons
Island Rd., Sunderland,
MD 20689

Telephone

301-855-6164

1. Section(s) to be changed

- A. Huntingtown Master Plan, Landscaping Section,
Action #2.
- B. Huntingtown Town Center Zoning Ordinance,
Section 5-3.

2. Proposed addition or change of wording (Attach additional sheets if necessary)

See attached.

3. JUSTIFICATION.

(a) What circumstances or changed conditions justify the proposed amendment?

See attached.

(b) How will the proposed amendment clarify or improve the ordinance?

See attached.

RECEIVED

AUG 19 2013

Community Planning & Bldg.

CERTIFICATION

I certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge

Name Mark J. Davis

Signed

Attorney for Oldtown Auto and Truck, Inc.

(410) 535-1780

STAFF USE ONLY

Date Application Received

8/19/2013

Date Referrals Sent

Date of Notice

Date of Public Hearing

Notes

Final Action

- ☐ Approved
- ☐ Approved with conditions
- ☐ Disapproved
- ☐ Other

DAVIS UPTON

PALUMBO & DOUGHERTY, LLC

Attorneys at Law

Members

Mark J. Davis
Mark J. Palumbo
Paul J. Dougherty III

Associates

Joshua A. Welborn
Amber K. Teague
David C. Weigel

Of-Counsel

Jack G. Upton
Dario Agnolotto, LLC
Sheryl Jones Alu

May 2, 2013

RECEIVED

MAY - 2 2013

BOCC OFFICE

Board of County Commissioners for Calvert County
175 Main Street
Prince Frederick, Maryland 20678

**RE: Oldtown Automobile and Truck Sales, Inc.
Request for Amendment to Huntingtown Master Plan and
Huntingtown Zoning Ordinance**

To the Honorable Board of County Commissioners:

Please be advised that I represent Oldtown Automobile and Truck Sales, Inc. ("Oldtown") with regard to its request that the Huntingtown Master Plan and Zoning Ordinance be amended to modify the extent and location of the 100' wooded buffer along the western edge of MD Route 2/4 which is to be "preserved" under Action #2 of the Landscaping section of the Huntingtown Master Plan.

1. Background

Oldtown is the owner of property located at 3921 Old Town Road, Huntingtown, Maryland (the "Property"). The Property is currently improved with a building and display area for the marketing and sale of classic and custom vehicles. The Property is located within the Huntingtown Town Center and thus, is subject to the Huntingtown Master Plan and Zoning Ordinance. Aerial photographs showing the Oldtown Property recently, again in 2004, and finally at the time of adoption of the Huntingtown Master Plan in 1993 (close to the time of adoption of the Huntingtown Master Plan and Zoning Ordinance) are attached hereto as Exhibits 1, 2 and 3, respectively.

a. The 2011 Amendments

Certain Amendments to the Huntingtown Master Plan involving the Huntingtown transportation infrastructure were approved to be proposed by the Calvert County Planning Commission on July 25, 2011 (the "2011 Amendments"). The advertised intent and purpose of these 2011 Amendments was set forth in a Memorandum dated August 9, 2011, from Maurice Lusby, Chairman of the Calvert County Planning Commission, a copy of which is attached hereto as Exhibit 4 (the "Memorandum"). In this Memorandum, Chairman Lusby stated that the 2011 Amendments would:



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www.DavisUpton.com

Exceeding Expectations

info@DavisUpton.com

“remove the action to extend Hunting Creek Road (MD 521) from its intersection with Old Town Road (MD 524) through to MD 2/4, which is identified as Priority I on Page 20. The proposed amendments also include deleting Priorities II and III regarding improved access to MD 2/4. These amendments would delete the proposed installation of a traffic signal at the new intersection of Hunting Creek Road and MD 2/4, and delete the proposed construction of an overpass or underpass that would cross MD 2/4 and connect to Cox Road.” (emphasis added)

Importantly, nowhere in the Memorandum or in the Notice of the proposed 2011 Amendments was any mention made of changing or modifying the location of the 100' wooded buffer which was referenced in the Landscaping section of the Huntingtown Master Plan, Action #2. However, when the proposed 2011 Amendments were ultimately adopted by the Board of County Commissioners by Ordinance 07-12 dated March 6, 2012, the 2011 Amendments which were adopted did include an amendment to the Landscaping section of the Master Plan, and in particular, included an amendment to the location and extent of the southern terminus of the 100' wooded buffer referenced in Action #2 of this section. This amendment had the practical effect of extending this 100' wooded buffer across the entire length of Oldtown's Property, without notice to Oldtown, and **required the preservation of 100' wooded buffer where no wooded buffer currently exists and has not existed in the past.**

b. Landscaping Section, Action #2: Pre-2011 Amendments

Prior to the adoption of the 2011 Amendments, Action #2 of the Landscaping Section of the Huntingtown Master Plan read as follows:

Preserve a 100 foot wooded buffer along the Town Center's frontage on MD 2/4 from the northern intersection with Old Town Road to the proposed location of the MD 2/4 over/under pass. This will buffer the town from MD 2/4, screen the rear of any new development along the east side of Old Town Road from MD 2/4, and preserve the attractive natural setting along MD 2/4. (emphasis added)

Two critical points need to be made about this provision. First, it is important to note that the Action required that the 100' foot wooded buffer be “preserve(d)”. It is fundamental that one cannot preserve that which is not already there. Therefore, it is clear that the intent of this section was that, wherever the wooded buffer existed within the area defined at the time of the adoption of the Master Plan, that such wooded buffer would be “preserved” and not destroyed. If the drafters had intended that a buffer be created within this area where none existed, they

Attorneys at Law

Board of County Commissioners

May 2, 2013

Page 3

could have very easily redrafted this language to state “Preserve, and create where none currently exists, a 100 foot wood buffer . . . “. But, this is not what was done.

Second, this language has caused significant problems in the past for Oldtown in its attempts to develop its property because the exact position of the “proposed location of the MD 2/4 over/under pass” referenced in this action was uncertain. That is, there was no definite plan as to where this over/under pass would be located and accordingly, there was no finite point or location to where this 100’ wooded buffer would extend. Consequently, County planning staff in the past has resisted any attempts by Oldtown to in any manner develop its property within 100 feet of the Route 2/4 right of way on the belief that any such development “may” interfere with an imaginary “100’ wooded buffer” that no one could locate on Oldtown’s property with any certainty.

c. Landscaping Section, Action #2: Post 2011 Amendments

As emphasized above, one of the purposes of the 2011 Amendments was to eliminate all references to the “MD 2/4 over/under pass”. Since Action #2 of the Landscaping section included such a reference, the County had the opportunity to finally clarify and define the exact location of the existing 100 foot wooded buffer that was to be “preserved” in amending this section.¹

In fact, the original language proposed by the July 25, 2011, Amendments to Action #2 came very close to defining the southern end of the 100 foot wooded buffer in the location where the wooded buffer actually ends on Oldtown’s Property. Specifically, the original language of Action #2 as proposed by the 2011 Amendments read as follows:

Preserve a 100 foot wooded buffer along the Town Center’s frontage on MD 2/4 from the northern intersection with Old Town Road to *approximately 690 feet north of the intersection of Old Town Road with MD 2/4.* (changed language shown in *italics*)

¹ However, as the Notice of the 2011 Amendments made no mention of changing the Landscaping requirements of the Master Plan or of significantly changing the location of the southern terminus of this 100 foot wooded buffer, any amendment to this section must have been limited to defining the 100 foot wooded buffer as nearly as possible to the location intended by the original Master Plan. This should have resulted in the southern terminus of the buffer being defined at a point on the northern edge of Oldtown’s property, where the approximately northern edge of any over/underpass would have been located. Instead, as a result of the change made by the Errata sheet, the County elected to identify the southern terminus of the buffer to a point which would have corresponded to the southern edge of the over/underpass – thereby implying that the buffer would have extended across the over/underpass which would have been impossible from a practical perspective.

Attorneys at Law

Board of County Commissioners

May 2, 2013

Page 4

Under this language, and as shown by Exhibit 5 at Point "A" on the Exhibit, the 100' wooded buffer would have been limited to approximately the area where a wooded buffer currently exists and has existed in the past. Had this been the language which was ultimately adopted by the BOCC, Oldtown would have been completely satisfied because it closely approximated and defined the southern ending point of the 100 foot wooded buffer and would have provided certainty as to the location of the buffer limits that the previous Master Plan lacked.

Unfortunately, an Errata Sheet dated September 26, 2011, was included in the 2011 Amendments which were ultimately adopted. The effect of the language change in this Errata Sheet significantly expanded this 100' wooded buffer and basically extended the buffer across the entire length of Oldtown's Property where no buffer currently exists and where no buffer has existed since at least the adoption of the Huntingtown Town Center Master Plan. Specifically, the language in the Errata Sheet which was ultimately adopted by Ordinance 07-12 read as follows:

Preserve a 100 foot wooded buffer along the Town Center's frontage on MD 2/4 from the northern intersection with Old Town Road to approximately 540 feet north of the southern intersection of Old Town Road with MD 2/4 (as measured from the southeast corner of Parcel 135 on Tax Map 18). (changed language shown in *italics*).

Applying this language, the southern terminus of the 100 foot wooded buffer would be moved a 150 feet south and located at Point "B" on Exhibit 5. As can be seen from this Exhibit, the practical effect of this change extended the buffer across the entire front of Oldtown's Property and, again, requires the "preservation" of a 100 foot wooded buffer where no wooded buffer exists. Further, this change was made to the Huntingtown Master Plan without any reference in the Notice which was published alerting property owners (e.g. Oldtown) that the location of the southern terminus of the 100 foot buffer would be changed.

2. Proposed Action

In light of the foregoing, Oldtown would respectfully request that the BOCC propose to the Planning Commission and subsequently adopt an Amendment to the Huntingtown Master Plan, Landscaping Section, Action #2, which would limit and define the southern terminus of the 100 foot wooded buffer to the point where such 100 foot wooded buffer currently exists as measured to the existing tree trunk line. Such a change would eliminate an artificial obstacle to any further development of Oldtown's Property and would be entirely consistent with the original intent of the Huntingtown Master Plan which clearly was **preserve** the 100 foot wooded buffer where it existed at the time of adoption of the Master Plan.

Board of County Commissioners
May 2, 2013
Page 5

Accordingly, and based upon survey work which Oldtown has had performed on its property to locate the southern limit of the existing wooded buffer, Oldtown would suggest that Action #2 be amended to read as follows:

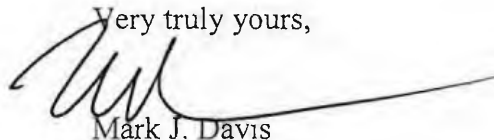
Preserve a 100 foot wooded buffer along the Town Center's frontage on MD 2/4 from the northern intersection with Old Town Road to approximately 698 feet north of the southern intersection of Old Town Road with MD 2/4 (as measured from the southeast corner of Parcel 135 on Tax Map 18)

If this language were to be adopted, the location of the southern terminus of the 100 foot wooded buffer would be as shown at Point "C" on the attached Exhibit 5. In addition to this change to the Master Plan, Section 5-3 of the Huntingtown Zoning Ordinance would also need to be changed to make it consistent with the Master Plan². Section 5-3 could similarly be amended to read as follows:

5-3 Setback from Roads

A 100 foot wooded buffer setback from MD 2/4 applies from the northern intersection with Old Town Road to approximately 698 feet north of the southern intersection of Old Town Road with MD 2/4 (as measured from the southeast corner of Parcel 135 on Tax Map 18.

Thank you for your consideration of this request. Please contact me should there be any questions or should additional information be required. Please also advise me when any public hearing on this request is scheduled.

Very truly yours,

Mark J. Davis

cc: Ms. Terry Shannon, County Administrator
Ms. Mary Beth Cook, Deputy Director, Community Planning and Building
John B. Norris, III, County Attorney

² Section 5-3 of the Huntingtown Zoning Ordinance was not amended as part of the 2011 Amendments and still refers to the "proposed over/underpass" as the southern terminus of the 100 foot buffer.

2012



Google earth

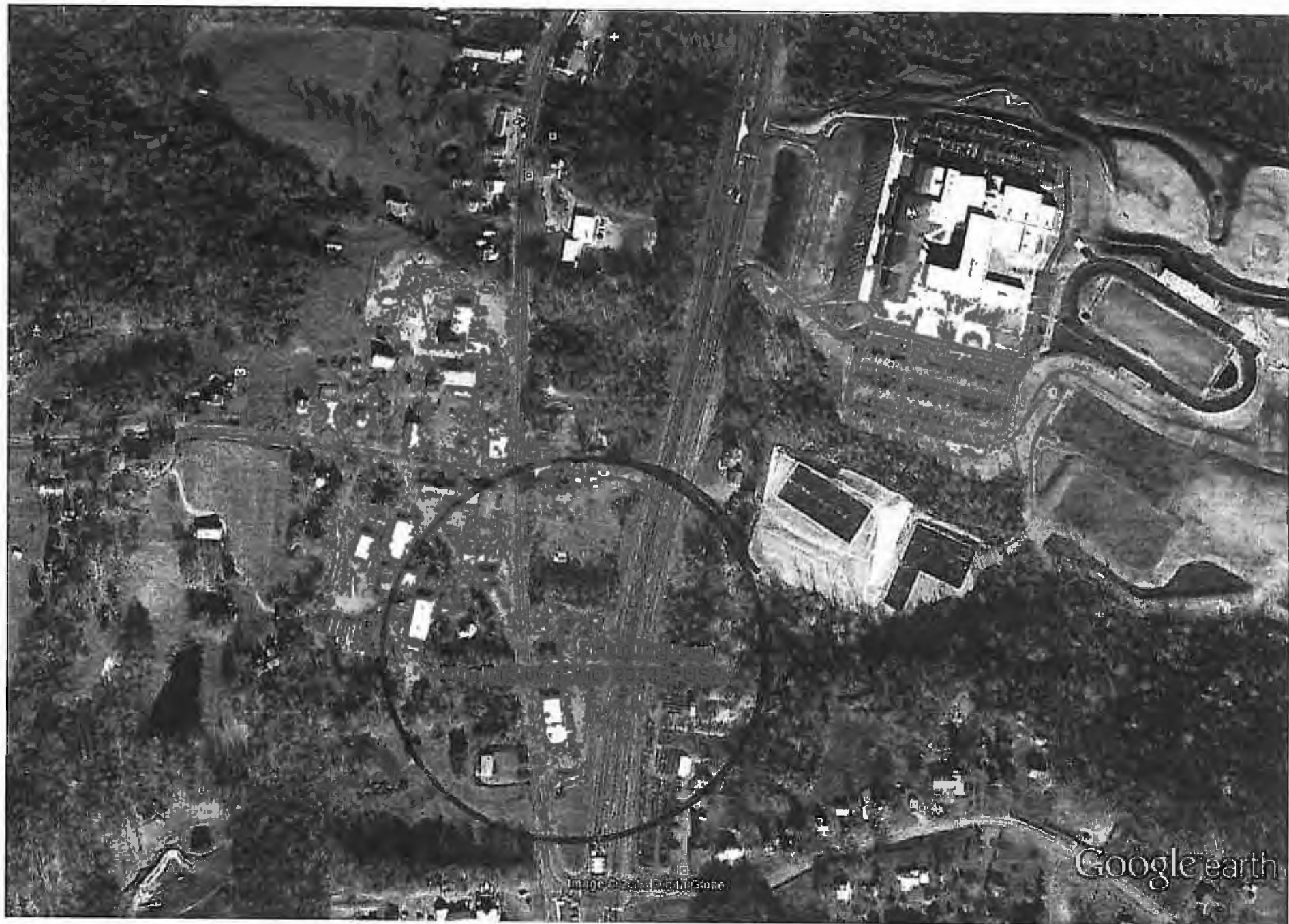
feet
meters

1000

400



"2004"



Google earth



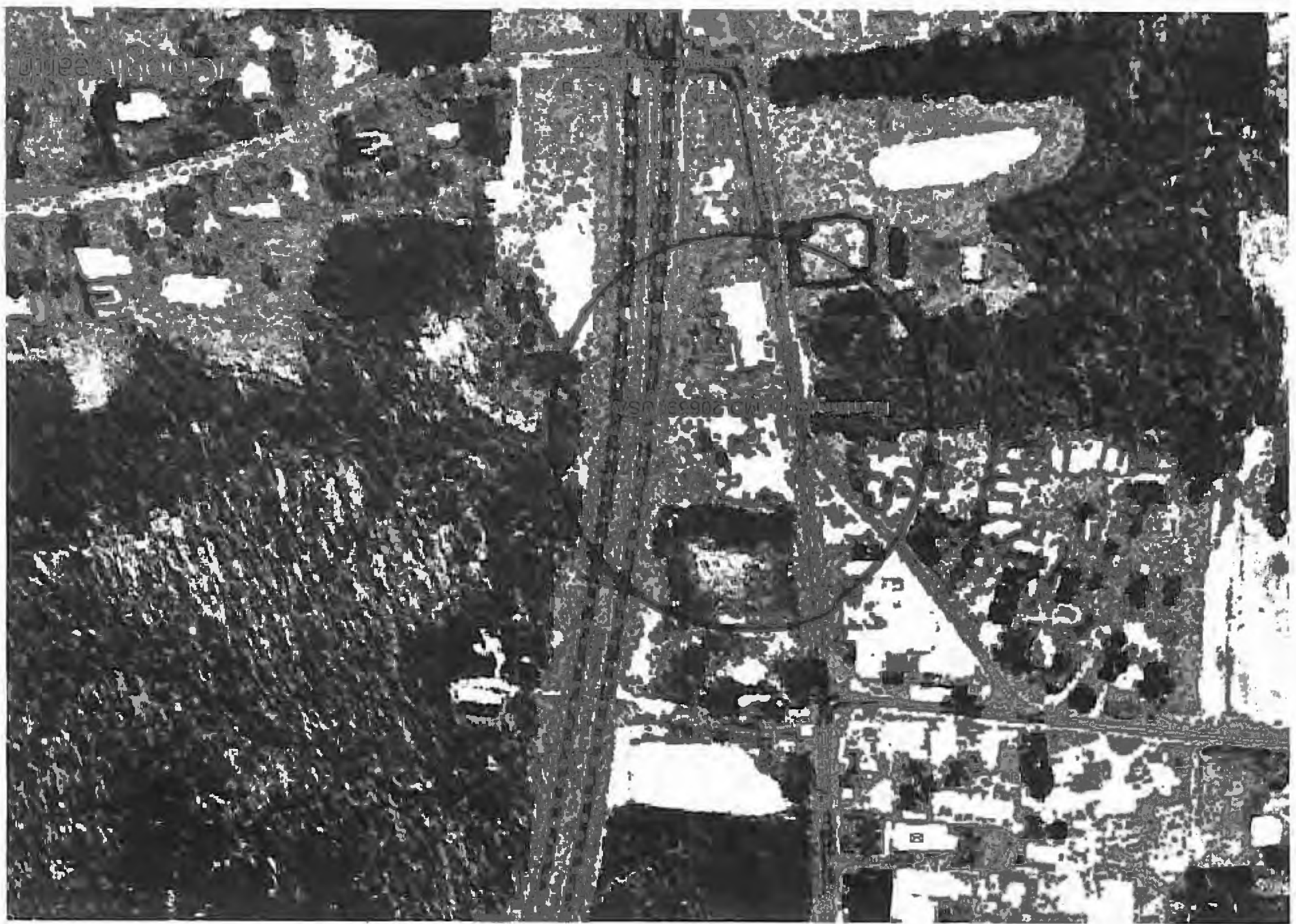


400

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feet
meters

Google earth



1993

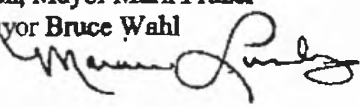


CALVERT COUNTY PLANNING COMMISSION

150 Main Street
Prince Frederick, Maryland 20678
410-535-2348 • 301-855-1243
Fax: 410-414-3092

Maurice Lusby, Chairman

TO: Maryland State Clearinghouse
Anne Arundel County, Larry Tom, Office of Planning and Zoning
Charles County, Roy Hancock, Department of Planning and Growth Management
Dorchester County, Steven M. Dodd, Department of Planning and Zoning
Prince George's County, Fern V. Piret, Planning Department
St. Mary's County, Phillip J. Shire, Dept. of Land Use and Growth Management
Talbot County, Sandy Coyman, Office of Planning and Zoning
Town of Chesapeake Beach, Mayor Mark Frazer
Town of North Beach, Mayor Bruce Wahl

FROM: Maurice Lusby, Chairman 

DATE: August 9, 2011

SUBJECT: Huntingtown Master Plan Proposed Amendments

The Calvert County Planning Commission is proposing amendments to *Huntingtown Town Center Master Plan*, adopted on October 5, 1993. Previous amendments to the master plan were made on July 11, 1995 and October 26, 1998. On July 25, 2011, the Calvert County Planning Commission approved proposed amendments for distribution to the regional, State, and Federal agencies that may have an interest in Calvert County.

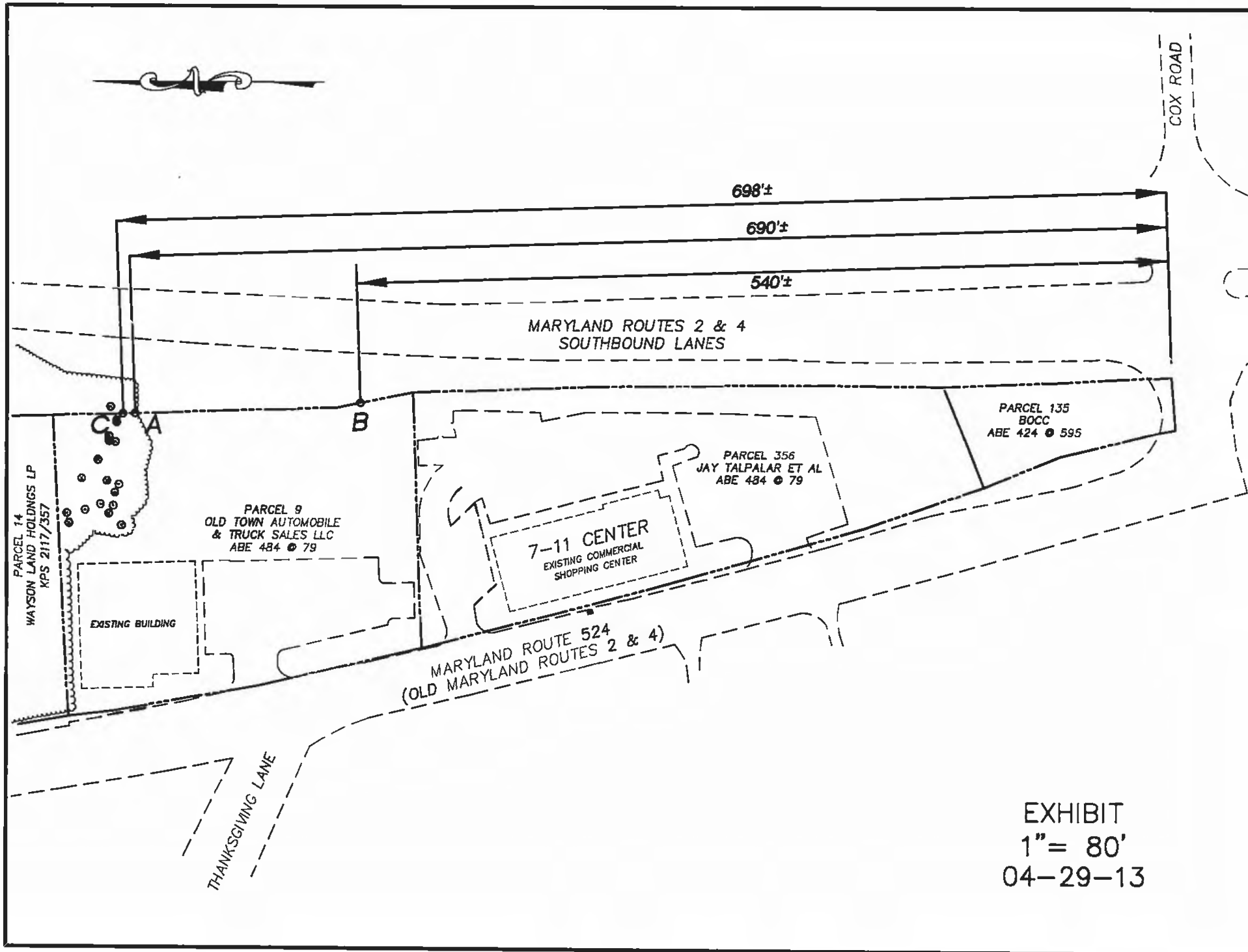
Summary of proposed amendments

The proposed amendments involve the transportation infrastructure. The amendments would remove the action to extend Hunting Creek Road (MD 521) from its intersection with Old Town Road (MD 524) through to MD 2/4, which is identified as Priority I on Page 20. The proposed amendments also include deleting Priorities II and III regarding improved access to MD 2/4. These amendments would delete the proposed installation of a traffic signal at the new intersection of Hunting Creek Road and MD 2/4, and delete the proposed construction of an overpass or underpass that would cross MD 2/4 and connect to Cox Road. For details about the proposed amendments, please refer to the enclosure, the *Huntingtown Master Plan and Zoning Ordinance, Amendments Proposed by the Calvert County Planning Commission, July 25, 2011*.

The Planning Commission and Board of County Commissioners will hold a public hearing on the proposed amendments, tentatively scheduled for October 18, 2011. Please visit our website or contact the Planning & Zoning Department to confirm the date, time and location.

Please review the *Huntingtown Master Plan Amendments Proposed July 25, 2011* (enclosed). Please submit comments by Friday, October 7, 2011. All comments will be provided to the Planning Commission and the Board of County Commissioners. Comments should be addressed to Mr. Maurice Lusby, Chairman, Calvert County Planning Commission. Comments may be submitted by email: pz@co.cal.md.us; by mail: 175 Main Street, Prince Frederick, MD 20678; by fax: 410-414-3092; or hand delivered to 150 Main Street, Suite 304, Prince Frederick, MD 20678. For your reference, the current *Huntingtown Master Plan and Zoning Ordinance* is available on line: http://www.co.cal.md.us/assets/Planning_Zoning/TownCenters/HuntingtownMasterPlan&ZO-March25-2008.pdf.

If you have any questions, please contact Yolanda Hipski, Planning Commission Administrator, at 410-535-1600 x 2636 or pz@co.cal.md.us.



DAVIS UPTON
PALUMBO & DOUGHERTY, LLC

Attorneys at Law

Members

Mark J. Davis
Mark J. Palumbo
Paul J. Dougherty III

Associates

Joshua A. Welborn
David C. Weigel
Anna E. Starkey

December 19, 2013

Of-Counsel

Jack G. Upton
Dario Agnolotto, LLC

Ms. Jenny Plummer-Welker, Community Planning and Building
Calvert Executive Plaza
150 Main Street
Prince Frederick, MD 20678

RECEIVED

DEC 19 2013

RE: Text Amendment #13-10 – Oldtown Automotive

Community Planning & Blog

Dear Ms. Plummer-Welker:

I am writing to provide you with additional information which we believe is important to the consideration of the subject Text Amendment. Accordingly, we would request that you include this information in any future Staff Reports to the Planning Commission and Board of County Commissioners and that you also include this information in your transmittal package to the State Agencies requesting comments in preparation for the Joint Public Hearing.

Specifically, attached please find a document titled "Text Amendment #13-10, Calvert County 2010 Comprehensive Plan, Supplemental References". I prepared the attached Exhibit when I noticed in your last Staff Report that you made reference to several provisions of the 2010 Comprehensive Plan which seem to be more favorable to the position that the location of the 100' Wooded Buffer not be changed. In my review of the 2010 Comprehensive Plan, I found numerous references to the goal of promoting growth within the Town Centers, directing growth to the Town Centers, and promoting existing business within the Town Center. I have outlined and included these references in the attachment and believe that the inclusion of these references will provide a more balanced picture of the proposed Text Amendment and clearly show that the Text Amendment as requested is completely consistent with the goals of the Comprehensive Plan.

Secondly, in your Staff Report and at the last Planning Commission Work Session, you raised the issue of imposing larger (i.e. up to 100') setbacks from MD Route 2/4 should the requirement of the 100' Wooded Buffer be eliminated – effectively replacing one unnecessary restriction with another of practically equal impact. Although we did not have the opportunity to address this issue at the last Planning Commission Work Session, let me now state that the Applicant would be opposed to any increase in these setbacks. As shown by the attached Plat, the SHA right of way already includes a wide strip of land between the Applicant's property and the edge of the Route 2/4 curb/roadway which ranges from 56' at the northern boundary of the Applicant's property to 25' at the southern boundary. This strip of land already serves as a 'set-back' from Route 2/4 and any further set-back from Route 2/4 would serve no purpose – except to unreasonably and unnecessarily restrict the use of Applicant's property.



132 Main Street • Prince Frederick, MD 20678 • Toll-Free: 866-956-3875 • Fax: 410-535-3403

www.DavisUpton.com

Exceeding Expectations

info@DavisUpton.com

Attorneys at Law

Ms. Jenny Plummer-Welker

December 19, 2013

Page 2

In addition, the Huntingtown Town Center is much different from either the St. Leonard or Lusby Town Centers. Specifically, the town center 'core' in Huntingtown is geographically located much closer to Route 2/4 than in either St. Leonard or Lusby. As a result, the imposition of a 100' set-back from Route 2/4 in Huntingtown has a much greater impact on the development potential of the land between the town center 'core' in Huntingtown than it does in either St. Leonard or Lusby. In the latter cases, the town centers are much further removed from Route 2/4 resulting in there being significantly more land to 'absorb' the set-backs without substantially impacting the development potential of affected parcels.

Finally, I understand that staff of Community Planning and Building made a presentation at the Huntingtown Architectural Review Committee ("HARC") meeting at which the referenced Text Amendment was addressed. As a result of this meeting, the HARC has made a recommendation that the wooded buffer not only be maintained where it currently exists; but rather, that it be extended all the way down to the Cox Road intersection - across the 7-11 shopping center parking lot. And, the HARC has recommended that the buffer be "planted if no vegetation exists". To the best of my knowledge, the Applicant was not provided any notice of this meeting and was not afforded the opportunity to address the HARC when they considered this matter. Accordingly, we believe this was patently unfair and likely contributed to the HARC taking such an extreme and impractical position. Accordingly, in the future, we would request that the Applicant be notified and be afforded the opportunity to be heard whenever Staff presents a proposed Text Amendment to any advisory body to fully insure that the advisory body receive a fair and balanced picture of what is being requested and why it is being requested.

Thank you for your consideration of this request. Please let me know if you have any questions.

Very truly yours,



Mark J. Davis

Enclosures

cc: Mr. Tom Barnett, Director, Community Planning and Building (Hand-delivered)
Ms. Terry Shannon, County Administrator (Hand-Delivered)
The Honorable Patrick Nutter (Hand-Delivered)
Mr. Courtney Accipiter
Mr. Dan Kelsh
Ms. Yolanda Hipski (Hand-Delivered)

TEXT AMENDMENT #13-10

CALVERT COUNTY 2010 COMPREHENSIVE PLAN
Supplemental References

1. **Land Use and Growth Management:**

a. **Develop Town Centers as Attractive, Pleasant, and Convenient Places to Live, Work, and Shop (Page 7)**

- “Our Town centers are the County’s primary designated growth areas and Priority Funding Areas, as per state regulations.”
- “It is important to continue to promote a broad mix of commercial, office, residential, public, and quasi-public development within town centers as a means of promoting economic development, creating more local jobs, expanding cultural opportunities, reducing traffic congestion, preventing strip commercial development, providing a full range of housing opportunities, and providing convenient access to goods and services for County residents.”

b. **Commercial Uses In Town Centers (Page 8)**

“Town centers are the primary locations for most commercial uses except for farming and forestry. They promote business growth by providing infrastructure and enabling businesses to benefit from proximity to each other (agglomeration economies). They also promote business growth by providing attractive, mixed-use settings where offices, stores, restaurants, and homes are all within close proximity to each other. The strategy of directing commercial growth to town centers has been in effect since the adoption of the town center concept in the 1983 Comprehensive Plan. It has proven to be highly effective as a means of developing strong business growth.”

c. **Pertinent Actions (Page 8 and 9)**

I-27: “Continue to direct commercial growth to town centers.

I-29: “Promote strong business growth in town centers. Identify and implement ways to improve growth in town centers.”

2. **Chapter III: Economy**

a. **Objectives (Page 91)**

- “Work with the private sector to provide employment opportunities for Calvert County residents, increase the commercial tax base, and increase the number of visitors to the County. In generating new business

opportunities, continue to remain sensitive to the environment and responsive to community interests.

- Broaden Calvert County's economy by strengthening the existing business base and attracting businesses that utilize the County's well-educated labor force.
- Improve opportunities for visitors and tourism, retirement, leisure, and agriculture and aquaculture industries.
- Foster an economy based upon technology, administrative services, nonpolluting manufacturing, heritage/recreational/nature tourism, retirement, leisure, farming, and aquaculture.
- Ensure the provision of high-quality public facilities and services throughout the County, with an emphasis on those areas intended for business development."

b. Economic Development Policies (Page 99) - "The following Economic Development policies should be used to guide County departments and agencies in implementing and attaining the economic development goals of the County:"

- "Provide for adequate amounts of land for business development in appropriate locations in town centers and EC/TC's and seek to provide flexibility in zoning regulations as applied to business development.
- Work to retain and expand local firms when such expansion is consistent with the goals and policies of this plan. Assisting local firms to grow is cost-effective and helps to ensure stability in the local economy."

c. Pertinent Actions (Page 101)

III-9: "Review County regulations that are not consistent with adopted goals and objectives and amend as appropriate."

MARYLAND ROUTES 2 & 4

(VARIABLE WIDTH RIGHT-OF-WAY)
SEE SHA R/W PLATS 35131 & 35132

PARCEL 14
WAYSON LAND HOLDINGS LP
601 KEITH LANE
OWINGS, MD 20738
KPS 2117/357
USE: RESIDENTIAL
ZONE: TOWN CENTER
TAX ID: 2/001101

HUNTINGTOWN STATION
PHASE II
SPR 05-41

PARCEL 356
JAY TALPALAR ET AL
10811 BARNWOOD LANE
POTOMAC, MARYLAND 20854
ABE 484 @ 79
USE: COMMERCIAL
ZONE: TOWN CENTER
TAX ID: 2/049694

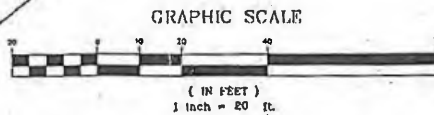
7-11 CENTER
EXISTING COMMERCIAL
SHOPPING CENTER

PROPOSED AUTO SALES

6,312 sq ft
FF = 163.10
SEE ARCH. PLAN FOR FOUNDATION
AND FLOOR PLAN INFO.

MARYLAND ROUTE 524
(OLD MARYLAND ROUTES 2 & 4)
(VARIABLE WIDTH RIGHT-OF-WAY)
SEE SRC R/W PLAT 1927

CONFORMS TO ARTICLE 8 & 9 OF
THE CALVERT COUNTY ZONING ORDINANCE
Adopted October 8, 2004



SIGN LEGEND

MUTCD STD #	DESCRIPTION OR TEXT ON SIGN	SYMBOL	QTY
R7-8	HANDICAP "RESERVED PARKING"	(i)	1

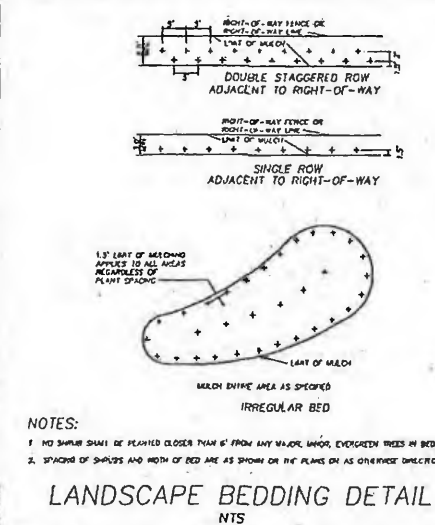
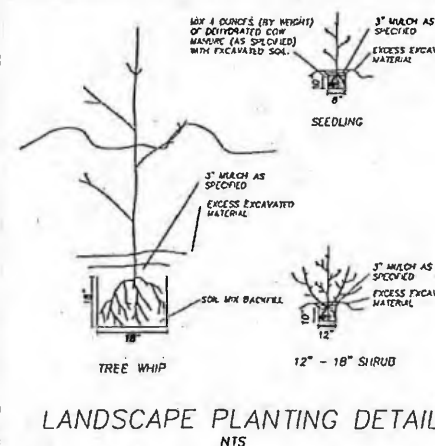
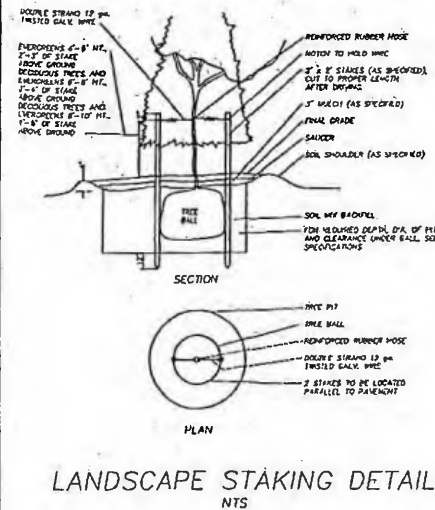
NOTE: ALL SIGNS ARE TO BE INSTALLED ON 4 IN X 4 IN TREATED WOODEN POST AND PER "THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD)" AND THE CALVERT COUNTY ROAD ORDINANCE AS CURRENTLY AMENDED.

SITE PLAN NOTES

- ALL CURB RADII ARE TO BE 3/4 UNLESS OTHERWISE NOTED.
- ALL ON-SITE CURB MATERIAL TO BE CONCRETE.
- HANDICAP PARKING SPACE, RAMP, AND ACCESS TO BUILDING SHALL BE HARD SMOOTH SURFACE (ASPHALT, CONCRETE, OR OTHER PAVEMENT) ALL IN ACCORDANCE WITH A.D.A. REQUIREMENTS.
- SIDEWALKS SHALL BE FLUSH TO PAVE WITHIN THE LIMITS OF LOADING ZONES AND HANDICAP RAMP.
- ALL ON-SITE SIDEWALKS TO BE RAISED SURFACE (6") UNLESS NOTED OTHERWISE.
- PARKING SPACES SHALL BE DELINEATED AS SHOWN ON THIS PLAN AND THE STAGING DETAIL.
- ALL EXISTING FEATURES ARE TO BE REMOVED UNLESS NOTED OTHERWISE.
- EXISTING PAVED SURFACES WHICH ARE PROPOSED TO BE LANDSCAPED GREEN AREAS SHALL HAVE ALL PAVEMENT, GRAVEL & SUB GRADE MATERIAL REMOVED AND REPLACED WITH TOPSOIL TO THE EXTENT REQUIRED TO PROVIDE SUITABLE SOILS FOR THE ESTABLISHMENT OF LANDSCAPE MATERIALS.
- ALL EXTERIOR LIGHTING PROPOSED FOR THIS SITE SHALL BE PERMANENTLY INSTALLED AND MOUNTED SO THAT IT WILL NOT ADVERSELY AFFECT NEIGHBORING PROPERTIES AND ROADS. ALL EXTERIOR LIGHTING SHALL BE "DARK SKIES FRIENDLY."
- NO EXTERIOR STORAGE (INCLUDING TRASH FACILITIES) IS PROPOSED OR APPROVED AS PART OF THESE PLANS EXCEPT AS SHOWN ON THESE PLANS.

CROSS REFERENCE LIST

COVER SHEET
EXISTING CONDITION AND DEMOLITION PLAN
SITE, LAYOUT & LANDSCAPE PLAN
GRADING, SEDIMENT & EROSION CONTROL PLAN
UTILITY PLAN
DETAILS & SPECIFICATIONS
DETAILS & SPECIFICATIONS



LANDSCAPE SCHEDULE*

BOTANICAL NAME	COMMON NAME	SIZE, ROOT PREPARATION	SPACING
SPREAD PLANTS			
50'S SANDPARR	SANDP. CHEROBY	3 1/2" - 2 IN. CAL. BAG	40" O.C.
EVERGREEN TREES			
50'S SANDPARR	SANDPARR ANY ONE	1 1/2" - 2 IN. CAL. BAG	40" O.C. AT 25'
SPREADS			
50'S SANDPARR	JAPANESE HOLLY	2 - 3 IN. PRODE 1/2" - 1 1/2" at 10' max. on planting grade may be 1/2" - 1 1/2" max.	30" O.C.
50'S SANDPARR	SOUTHERN SANDPARR	16" - 24" CROWN OF BAG	40" O.C.
50'S SANDPARR	SINGLE PLANTING LINE OF 50'S SANDPARR	20" PRODE	40" O.C.
50'S SANDPARR	50'S SANDPARR ANY ONE	24" PRODE	40" O.C.

MARYLAND ROUTES 2 & 4

(VARIABLE WIDTH RIGHT-OF-WAY)
SEE SHA R/W PLATS 35131 & 35132

TO SUN ERLAND

SOUTHBOUND LANES

DENIED VEHICULAR ACCESS

EX FLOODLIGHTS
TO REMAIN

38'±

25'±

APPROX. A POTENTIAL R/W

EX FLAG POLES
TO REMAIN

SIGN
JOHN'S
OPEN
PIT

11C

11C
REINSTALL ORIGINAL
DISPLAY AREA

EX DISPLAY AREA
TO BE REMOVED
EX CARPORT
TO BE REMOVED

11C

EX. CARPORT
TBR

1B

ACCESS TO
DISPLAY PARKING

EX. SIGN
TBR

2B

2B

40C

28C

100ft BUFFER SETBACK

12'±

78'

4ft x 6ft
HVAC PAD

PROPOSED

END
FLUSH CURB

DISPLAY

10ft BRL

PARCEL 14
WAYSON LAND HOLDINGS LP
601 KEITH LANE
OWINGS, MD 20736
KPS 2117/357
USE: RESIDENTIAL
ZONE: TOWN CENTER
TAX ID: 2/001001

30" rcp?
140.77

EX CONC
CHANNEL

EX RIPRAP DITCH

EX SIGN

EX SIGN

EX SIGN

MULCH BED

56'

100'

18'

9'
TYP

11

31

DAVIS UPTON
PALUMBO & DOUGHERTY, LLC

Attorneys at Law

Members

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Mark J. Palumbo
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Joshua A. Welborn
David C. Weigel
Anna E. Starkey

Of-Counsel

Jack G. Upton
Dario Agnolotto, LLC

March 28, 2014

Mr. Tom Barnett, Director
Department of Community Planning & Building
150 Main Street
Prince Frederick, MD 20678

RECEIVED

MAR 28 2014

RE: Request for Deferral
Text Amendment #13-10

Community Planning & Bldg

Dear Mr. Barnett:

My client, Oldtown Automobile and Truck Sales, LLC, the Applicant in Text Amendment Case #13-10, has instructed me to request that any further action on this text amendment be deferred at this time.

Please let me know if you have any questions.

Very truly yours,



Mark J. Davis

cc: Mr. Courtney Accipiter
The Honorable Patrick Nutter, President of the Board of County Commissioners
Ms. Terry Shannon, County Administrator



132 Main Street • Prince Frederick, MD 20678 • Toll-Free: 866-956-3875 • Fax: 410-535-3403

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Exceeding Expectations

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& PALUMBO, LLC
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Anna E. Starkey
Tamara M. Maye

Of-Counsel

Jack G. Upton

June 29, 2015

RECEIVED

JUN 29 2015

Community Planning
and Building

Board of County Commissioners for Calvert County
175 Main Street
Prince Frederick, Maryland 20678

**Re: Oldtown Automobile and Truck Sales, Inc.
Request for Re-Activation of Text Amendment #13-10**

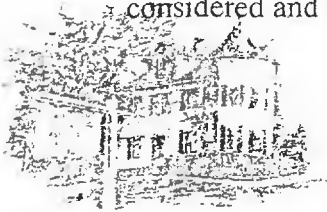
To the Honorable Board of County Commissioners:

As you will recall, I represent Oldtown Automobile and Truck Sales, Inc. ("Oldtown") with regard to its request that the Huntingtown Master Plan and Zoning Ordinance be amended to modify the extent and location of the 100' wooded buffer along the western edge of MD Route 2/4 which is to be "preserved" under Action #2 of the Landscaping section of the Huntingtown Master Plan.

We filed the original request for the Text Amendment with my letter to the Board of County Commissioners dated May 2, 2013. This Text Amendment Request was docketed as Text Amendment #13-10. After several public hearings and meetings, the Applicant requested that action on Text Amendment #13-10 be temporarily deferred.

The purpose of this letter is twofold. First, the Applicant respectfully requests that the process of approving Text Amendment #13-10 be reactivated and that a Joint Public Hearing before the Planning Commission and the Board of County Commissioners be rescheduled at the earliest possible date.

Second, the Applicant wishes to amend its previous request that the terminus of the wooded buffer be located 698' north from the southern intersection of Old Road with MD 2/4 (as measured from the southeast corner of Parcel 135 on Tax Map 18) to a request that the southern terminus of the wooded buffer be located at the northern boundary of the Applicant's property. This would place the southern terminus of the wooded buffer approximately 744' north from the southern intersection of Old Road with MD 2/4 (as measured from the southeast corner of Parcel 135 on Tax Map 18). An exhibit showing the distance from the northern boundary of the Applicant's property to the southeast corner of Parcel 135 is attached. Even with this change, the scope of the requested Text Amendment is significantly less than what has previously been considered and submitted for review and comment by State and County agencies.



132 Main Street • Prince Frederick, MD 20678 • Toll-Free: 866-956-3875 • Fax: 410-535-3403

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Exceeding Expectations

info@DavisUpton.com

DAVIS UPTON

& PALUMBO, LLC

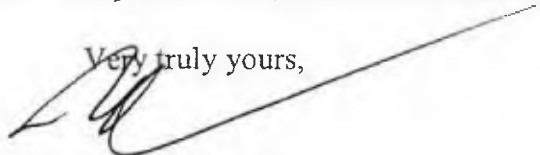
Mark J. Davis
Board of County Commissioners

June 26, 2015

Page 2

In light of the foregoing, the Applicant would respectfully request that the Board of County Commissioners direct staff to schedule a Joint Public Hearing with the Planning Commission and the Board of County Commissioners at the earliest possible date for the purpose of consideration and adoption of Text Amendment Request #13-10, as amended herein.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Mark J. Davis', with a long horizontal line extending to the right.

Mark J. Davis

cc: Ms. Terry Shannon, County Administrator
Mr. Tom Barnett, Director, Community Planning and Building
John B. Norris, III, County Attorney

RECEIVED

JUN 29 2015

Community Planning
and Building

COX ROAD

744'±

690'±

540'±

MARYLAND ROUTES 2 & 4
SOUTHBOUND LANES

PARCEL 135
BOCC
ABE 424 @ 595

PARCEL 356
JAY TALPALAR ET AL
ABE 484 @ 79

7-11 CENTER
EXISTING COMMERCIAL
SHOPPING CENTER

PARCEL 9
OLD TOWN AUTOMOBILE
& TRUCK SALES LLC
ABE 484 @ 79

EXISTING BUILDING

MARYLAND ROUTE 524
(OLD MARYLAND ROUTES 2 & 4)

PARCEL 14
WAYSON LAND HOLDINGS LP
KPS 2117/357

THANKSGIVING LANE

EXHIBIT
SCALE: 1"=60'

STAFF REPORT
TEXT AMENDMENT CASE NO. 13-10
PROPOSED AMENDMENTS OF THE
HUNTINGTOWN TOWN CENTER MASTER PLAN MAP AND SECTION IV. E AND
ARTICLE 5, SECTION 5-3 OF THE
HUNTINGTOWN MASTER PLAN AND ZONING ORDINANCE
Re: Huntingtown Town Center Master Plan Map, Wooded Buffer and
Buffer Setback from MD 2/4

SUPPLEMENTAL BACKGROUND INFORMATION:

Board of Appeals Cases:

Since the adoption of the Huntingtown Master Plan and Zoning Ordinance, there have been three cases heard by the Calvert County Board of Appeals regarding the parcel owned by Mr. Davis' client. The Board of Appeals heard cases in 1995, 1998, and 2005 (*Cases 95-2128, 98-2443, and 05-3168*). The first case was for a special exception to operate a motor vehicle dealership. The Board of Appeals granted the special exception request with conditions, including the condition that display vehicles within the 100 foot buffer be kept to a minimum and be unobtrusive as possible. The subsequent two cases were for variance requests to reduce the 100 foot buffer/setback. The first request was to reduce the setback to 40 feet; the second request was to reduce the setback to 80 feet. The Board of Appeals denied both variance requests.

Huntingtown Master Plan and Zoning Ordinance

The original Huntingtown Master Plan included in Section IV E. Community Appearance, Landscaping, Action 2 stated:

Preserve a 100 foot wooded buffer along the Town Center's frontage on MD 2/4 from the northern intersection with Old Town Road to the proposed location of the MD 2/4 over/under pass. This will buffer the town from MD 2/4, screen the rear of any new development along the east side of Old Town Road from MD 2/4, and preserve the attractive natural setting along MD 2/4.

The Huntingtown Zoning Ordinance includes an article on development requirements, Article 5-3 Setbacks from Roads (current text, no amendments since adoption):

A 100 foot buffer setback from MD 2/4 applies from the northern intersection of Old Town Road to the proposed over/underpass. Natural vegetation shall be retained in this area.

In 2011, the County initiated amending the Huntingtown Master Plan to remove references to the proposed Hunting Creek Road extension. One of the sections to be amended was the landscaping section that referenced the buffer's southern end as "the proposed location of the MD 2/4 over/underpass." Since the proposed over/underpass location was to be deleted, there needed to be another way to indicate the southern end of the wooded buffer.

The following amendments were made to the Huntingtown Master Plan's Landscaping Action 2 (new text is underlined and deleted text is struck through) and became effective on March 7, 2012:

Preserve a 100 foot wooded buffer along the Town Center's frontage on MD 2/4 from the northern intersection with Old Town Road to APPROXIMATELY 540 FEET NORTH OF THE SOUTHERN INTERSECTION OF OLD TOWN ROAD WITH MD 2/4 (AS MEASURED FROM THE SOUTHEAST CORNER OF PARCEL 135 ON TAX MAP 18) the proposed location of the MD 2/4 over/under-pass. This will buffer the town from MD 2/4, screen the rear of any new development along the east side of Old Town Road from MD 2/4, and preserve the attractive natural setting along MD 2/4.

Development of Options by Prior Board of County Commissioners

During the Board of County Commissioners' work session on August 20, 2013, the Board directed staff to round up the applicant's request from approximately 698 feet to 700 feet, and directed staff to prepare additional options and present them during a work session with the Planning Commission, including an option to eliminate the 100 foot wooded buffer/buffer setback. Four options were presented to the Planning Commission at the work session on September 18, 2013:

- A) No change (do not approve/adopt any amendments).
- B) Amend per the applicant's proposal, as revised at Board of County Commissioners' work session: wooded buffer/wooded buffer setback from MD 2/4 extends from northern intersection of Old Town Road to approximately 700 north of the southern intersection of Old Town Road with MD 2/4.
- C) Amend to eliminate the 100 foot wooded buffer/buffer setback. (Removed from consideration by the Planning Commission, September 18, 2013)
- D) Amend to reduce the area of the 100 foot wooded buffer/buffer setback to the southernmost extent of the 2011 forest cover, approximately 1,180 feet from the southern intersection of MD 2/4 and Old Town Road.

The 2011 forest cover mapping layer in the County's GIS program used a threshold of 5,000 square feet threshold for determining a forested area. Groupings of trees less than 5,000 square feet did not meet the threshold, thus these smaller areas do not show as tree cover.

At the September work session, the Planning Commission directed that the Options A, B, and D be forwarded to agencies for comment. At the December work session, the Planning Commission decided to add Option E. The Planning Commission decided to proceed with a public hearing for four options and to include a 100 foot setback to hear public comment about this issue.

- E) Amend to extend from the northern intersection of Old Town Road with MD 2/4 to the southern intersection of Old Town Road with MD 2/4.



**DEPARTMENT OF COMMUNITY PLANNING AND BUILDING
INTEROFFICE MEMORANDUM**

TO: Department of Economic Development (DED)
Department of General Services
Department of Public Safety
Department of Public Works - Bureau of Engineering & Transportation
Department of Public Works - Division of Water & Sewerage
Division of Inspections & Permits
Calvert County Public Schools
County Attorney's Office
Environmental Health
Maryland Department of Planning
Maryland State Highway Administration
Soil Conservation District
Agriculture Commission c/o DED
Agricultural Preservation Advisory Board c/o Dept. of Community Planning and Building
Board of Appeals c/o Department of Community Planning and Building (DCPB)
Calvert County Forestry Board
Calvert County Farm Bureau
Economic Development Commission c/o DED
Environmental Commission c/o DCPB
Huntingtown Architectural Review Committee c/o DCPB
Historic District Commission c/o DCPB
Tourism Advisory Committee c/o DED

VIA: Mary Beth Cook, Acting Director *MBC*

VIA: Yolanda Hipski, Planning Commission Administrator

FROM: Jenny Plummer-Welker, AICP, Principal Planner *JP*

DATE: September 25, 2013

SUBJECT: Request for Comments: Text Amendment Case No. 13-10, Proposed Text Amendments to the Huntingtown Master Plan and Zoning Ordinance

Please review and comment on the attached proposed text amendments to the Huntingtown Master Plan and Zoning Ordinance. Amendments are proposed to the Huntingtown Master Plan (Section IV E) regarding landscaping, the 100 foot wooded buffer along MD Route 2/4, and amendments are proposed to the Huntingtown Town Center Zoning Ordinance (Section 5-3) regarding setbacks from MD Route 2/4.

The Planning Commission requested comments on Options A, B, and D, prior to scheduling a public hearing. At its meeting on September 18, 2013, the commission decided not to pursue Option C. Agency comments are tentatively scheduled to be reviewed by the Planning Commission at its meeting on November 13, 2013.

Please submit agency comments to this department by **Tuesday, October 22, 2013.**

(Continued)

Request for comments: Text Amendment Case No. 13-10, Proposed Text Amendments to the Huntingtown Master Plan and Zoning Ordinance
September 25, 2013
Page Two

Enclosed are the following documents:

- Proposed Huntingtown Master Plan Amendments (Options A, B & D, dated 9/24/2013)
- Proposed Huntingtown Zoning Ordinance Amendments (Options A, B & D, dated 9/24/2013)
- Staff Report for the Planning Commission's Work Session #1 (dated September 11, 2013 with annotation that Option C was removed from consideration)
- Maps and photographs presented to the Planning Commission (dated September 18, 2013, Option C, Slide #4, removed)

Please note that setbacks for land along MD 2/4 in the Huntingtown Town Center in the Mixed Use District that is not subject to the 100 foot buffer setback would be the following:

Principal Structures	Front Yard Setback	10 feet
Accessory Structures	Front Yard Setback	0 feet
Parking Lots		35 feet

If you have any questions regarding the proposed amendments, please contact me at 410-535-1600, ext. 2333, or plummej1@co.cal.md.us.

Enclosures (4)

cc: Department of Community Planning and Building Staff

E. Community Appearance

Huntingtown has been fortunate in that most new development has complimented traditional local architectural styles characterized by peaked tin roofs, front porches, clapboard siding and shutters. Community appearance requirements addressing architecture, landscaping, signage, and lighting will encourage new development to preserve the small town character of Huntingtown. Furthermore, these appearance standards can help enhance Huntingtown's streetscape and contribute to a distinctive sense of place.

Architecture

ACTIONS:

1. Adopt Architectural Requirements and Guidelines to encourage the development of a compatible architecture which blends in with Huntingtown as an historic farming community.
2. Require that new growth use materials, scales, building elements and building configurations which are similar to those which currently exist in the town. Require that these standards apply only within the Mixed Use and Neighborhood Districts.
3. Appoint an architectural review committee as proposed to aid in the interpretation and modifications of these standards. The purpose of the committee is to stabilize and improve property values in the district and to preserve specific buildings or structures in the district, which are deemed to be of historic or architectural value, to foster civic beauty, to strengthen the local economy and to promote the use of the district for the education, pleasure and welfare of the citizens.

Landscaping

ACTIONS:

1. Adopt specific landscape standards addressing screening of objectionable views, street trees, and landscaping within parking lots.

OPTION A - No change

2. Preserve a 100 foot wooded buffer along the Town Center's frontage on MD 2/4 from the northern intersection with Old Town Road to approximately 540 feet north of the southern intersection of Old Town Road with MD 2/4 (as measured from the southeast corner of Parcel 135 on Tax Map 18). This will buffer the town from MD 2/4, screen the rear of any new development along the east side of Old Town Road from MD 2/4, and preserve the attractive natural setting along MD 2/4.

OPTION B – Applicant’s request (as modified at the Board of County Commissioner’s 8/20/13 work session)

2. Preserve a 100 foot wooded buffer along the Town Center’s frontage on MD 2/4 from the northern intersection with Old Town Road to approximately ~~540~~ 700 feet north of the southern intersection of Old Town Road with MD 2/4 (as measured from the southeast corner of Parcel 135 on Tax Map 18). This will buffer the town from MD 2/4, screen the rear of any new development along the east side of Old Town Road from MD 2/4, and preserve the attractive natural setting along MD 2/4.

OPTION C – Removed from consideration by the Planning Commission, September 18, 2013

OPTION D – Amend to reduce the area of the 100 foot wooded buffer to southernmost extent of the 2011 forest cover

2. Preserve a 100 foot wooded buffer along the Town Center’s frontage on MD 2/4 from the northern intersection with Old Town Road to approximately ~~540~~ 1,180 feet north of the southern intersection of Old Town Road with MD 2/4 (as measured from the southeast corner of Parcel 135 on Tax Map 18). This will buffer the town from MD 2/4, screen the rear of any new development along the east side of Old Town Road from MD 2/4, and preserve the attractive natural setting along MD 2/4.

5-3 Setbacks from Roads

OPTION A – No change*

A 100 foot buffer setback from MD 2/4 applies from the northern intersection of Old Town Road to proposed over/underpass. Natural vegetation shall be retained in this area.

* Text would be updated to remove the reference to the over/underpass and would be replaced to match the location information in the current, adopted Master Plan: MD 2/4 from the northern intersection with Old Town Road to approximately 540 feet north of the southern intersection of Old Town Road with MD 2/4 (as measured from the southeast corner of Parcel 135 on Tax Map 18).

OPTION B – Applicant's request (as modified at the Board of County Commissioner's 8/20/13 work session)

A 100 foot wooded buffer setback from MD 2/4 applies from the northern intersection ~~of~~ with Old Town Road to ~~proposed over/underpass approximately 700 feet north of the southern intersection of Old Town Road with MD 2/4 (as measured from the southeast corner of Parcel 135 on Tax Map 18).~~ Natural vegetation shall be retained in this area.

OPTION C – Removed from consideration by the Planning Commission, September 18, 2013

OPTION D – Amend to reduce the area of the 100 foot wooded buffer to southernmost extent of the 2011 forest cover

A 100 foot ~~buffer~~ setback from MD 2/4 applies from the northern intersection of Old Town Road to ~~proposed over/underpass approximately 1,180 feet north of the southern intersection of Old Town Road with MD 2/4 (as measured from the southeast corner of Parcel 135 on Tax Map 18).~~ Natural vegetation shall be retained in this area.

STAFF REPORT

TEXT AMENDMENT CASE NO. 13-10

**PROPOSED AMENDMENT OF THE HUNTINGTOWN MASTER PLAN (Section IV E)
RE: LANDSCAPING, 100 FOOT WOODED BUFFER ALONG MD 2/4, AND
PROPOSED AMENDMENT OF THE HUNTINGTOWN ZONING ORDINANCE
(Section 5-3) RE: SETBACKS FROM ROADS (MD 2/4)**

DATE PREPARED:

September 11, 2013 [Annotation to Page 4 added September 24, 2012.](#)

WORK SESSION DATES:

August 20, 2013 – Board of County Commissioners Work Session

September 18, 2013 – Calvert County Planning Commission's Work Session #1

PUBLIC HEARING DATE:

TBD

AMENDMENTS PROPOSED BY:

Mark Davis, on behalf of Oldtown Automobile and Truck Sales, Inc., proposed amendments in a letter to the Board of County Commissioners of Calvert County, dated May 2, 2013. Mr. Davis subsequently submitted a text amendment application to the Department of Community Planning and Building on August 19, 2013.

PURPOSE OF AMENDMENTS:

Text amendments are proposed to Section IV E of the Huntingtown Master Plan and Section 5-3 of the Huntingtown Zoning Ordinance. The Master Plan amendments propose to modify the extent and location of the wooded buffer along the Town Center's eastern boundary along MD 2/4 (the western edge of the State road). The Zoning Ordinance amendments propose to modify the location and extent of the 100 foot wooded buffer setback from MD 2/4.

During the Board of County Commissioners' work session on August 20, 2013, the Board directed staff to:

- 1) Round up the applicant's request from approximately 698 feet to 700 feet, and
- 2) Include options, including an option to eliminate the 100 foot wooded buffer/wooded buffer setback.

The applicant's proposed amendments (as modified during the County Commissioner's work session) would reduce the linear distance of the buffer along MD 2/4 by approximately 160 feet.

BACKGROUND:

The Calvert County Board of County Commissioners adopted Huntingtown Master Plan and Zoning Ordinance in 1993. The adoption followed a two-year public process to develop the master plan and zoning ordinance. The original Huntingtown Master Plan included in Section IV E. Community Appearance, Landscaping, Action 2 stated:

Preserve a 100 foot wooded buffer along the Town Center's frontage on MD 2/4 from the northern intersection with Old Town Road to the proposed location of the MD 2/4

over/under pass. This will buffer the town from MD 2/4, screen the rear of any new development along the east side of Old Town Road from MD 2/4, and preserve the attractive natural setting along MD 2/4.

The Huntingtown Zoning Ordinance includes an article on development requirements, Article 5-3 Setbacks from Roads (current text, no amendments since adoption):

A 100 foot buffer setback from MD 2/4 applies from the northern intersection of Old Town Road to the proposed over/underpass. Natural vegetation shall be retained in this area.

Attached is the Huntingtown Town Center Master Plan Map, effective March 7, 2012. Also attached is a map of the 1993 aerial photograph with 2011 building footprints superimposed.

Since the adoption of the Huntingtown Master Plan and Zoning Ordinance, there have been three cases heard by the Calvert County Board of Appeals regarding development within the 100 foot buffer setback from MD 2/4 for the parcel owned by Mr. Davis' client. This parcel would be the only parcel affected by the text amendments proposed by the applicant. The Board of Appeals heard cases in 1995, 1998, and 2005. The first case was for a special exception to operate a motor vehicle dealership. The Board of Appeals granted the special exception request with conditions, including the condition that display vehicles within the 100 foot buffer be kept to a minimum and be unobtrusive as possible. The subsequent two cases were for variance requests to reduce the 100 foot buffer/setback. The Board of Appeals denied both variance requests.

Board of Appeals Cases

Case No. 95-2128

In April, 1995, the Board of Appeals heard a request from Joseph Abbott on behalf of the property owner, Jean C. Coonan, for a Special Exception to operate a motor vehicle dealership. The Board of Appeals Order included eight findings of fact. Findings of fact Number 5 states:

Staff and the Board expressed concern as to the proposed placement of "temporary display places" along the Route 4 side of the property as shown on the plat. The Huntingtown Master Plan contains several references to this area, including the recommendation that a 100' buffer be maintained, as well as a proposal to construct an overpass or underpass along the south side of the subject property. The applicant's representatives were advised that some additional restrictions may be imposed during site plan review and architectural review. (Emphases added.)

The Board of Appeals granted the Special Exception with two conditions; the second regarded the buffer setback:

That the location of the temporary display vehicles within the 100' buffer along Route 4 shall be determined during the Architectural Review and Site Plan Review processes, and that any conditions imposed during those processes shall be met. The Board recommends

that any display vehicles within the buffer area should be kept to a minimum and should be as unobtrusive as possible.

Case No. 98-2443

In March, 1998, the Board of Appeals heard a request from Joe Abbott for a variance in the 100 foot buffer/setback requirements for expansion of an existing motor vehicle dealership within the 100 foot buffer/setback. The applicant requested expansion of the vehicle display area approximately 60 feet towards Route 4, reducing the buffer/setback from 100 feet to 40 feet. The Board of Appeals denied the request.

Case No. 05-3168

In April, 2005, the Board of Appeals heard a request from Courtney Accipiter on behalf of property owner Stuart Paul Barham for a variance in the 100' buffer/setback requirements from Maryland Route 2/4 for expansion of an existing motor vehicle dealership. The request was to reduce the buffer/setback from 100 feet to 80 feet. The applicant originally requested a variance from 100' to 30' but was subsequently revised from 100 feet to 80 feet. The Board of Appeals denied the request.

The fact that this area is subject to the 100 foot buffer setback regulations has been recognized several times by the Board of Appeals.

Recent Amendments to the Huntingtown Master Plan

In June, 2011, the Calvert County Board of County Commissioners sent the Calvert County Planning Commission a letter regarding a site plan for Huntingtown Medical Center, LLC and the reservation of a 50 foot right-of-way. The Board did not believe a reservation of a parcel for the extension of Hunting Creek Road to Maryland Route 4 would serve any useful purposes. On July 20, 2011, the Planning Commission instructed staff to begin the process of removing references to the Hunting Creek Road extension in the Huntingtown Master Plan, to fast-track the amendment as quick as possible. Staff presented to the Planning Commission sections of the Huntingtown Master Plan that would need to be amended in a memo dated July 25, 2011.

One of the sections to be amended was the landscaping section that referenced the buffer's southern end as "the proposed location of the MD 2/4 over/underpass." Since the proposed over/underpass location was to be deleted, the southern end, there needed to be another way to indicate the southern end of the buffer. Staff noted, "Replace reference to proposed location of over/underpass with reference to distance north of intersection of Old Town Road with 2/4." The Planning Commission authorized staff to prepare text in proper format, showing additions and deletions, for distribution to the State agencies, adjoin jurisdictions, and the public. Staff prepared the text for the proposed amendments.

The following amendments were made to the Huntingtown Master Plan's Landscaping Action 2 (new text is underlined and deleted text is struck through):

Preserve a 100 foot wooded buffer along the Town Center's frontage on MD 2/4 from the northern intersection with Old Town Road to APPROXIMATELY 540 FEET NORTH OF THE SOUTHERN INTERSECTION OF OLD TOWN ROAD WITH MD 2/4 (AS MEASURED FROM THE SOUTHEAST CORNER OF PARCEL 135 ON TAX MAP 18)~~the proposed location of the MD 2/4 over/under pass.~~ This will buffer the town from MD 2/4, screen the rear of any new development along the east side of Old Town Road from MD 2/4, and preserve the attractive natural setting along MD 2/4.

The illustration of the Huntingtown Town Center Proposed Road Improvements and the action describing the priorities for improving the access to MD 2/4 were deleted in the recent amendments.

PROPOSED AMENDMENTS

The Applicant's proposed amendments are to the Huntingtown Master Plan and the Huntingtown Zoning Ordinance.

Proposed text amendments to Huntingtown Master Plan, Section IV E Community Appearance, Landscaping section

Applicant's Request for Master Plan amendments (as revised on 8/20/2013):

2. Preserve a 100 foot wooded buffer along the Town Center's frontage on MD 2/4 from the northern intersection with Old Town Road to approximately 540-700 feet north of the southern intersection of Old Town Road with MD 2/4 (as measured from the southeast corner of Parcel 135 on Tax Map 18). This will buffer the town from MD 2/4, screen the rear of any new development along the east side of Old Town Road from MD 2/4, and preserve the attractive natural setting along MD 2/4.

Proposed text amendments to the Huntingtown Zoning Ordinance, Section 5-3 Setbacks from Roads

Applicant's Request for Zoning Ordinance amendments:

A 100 foot wooded buffer setback from MD 2/4 applies from the northern intersection ~~of with~~ Old Town Road to proposed over/underpass approximately 700 feet north of the southern intersection of Old Town Road with MD 2/4 (as measured from the southeast corner of Parcel 135 on Tax Map 18). ~~Natural vegetation shall be retained in this area.~~

Options:

- A) No change (do not approve/adopt any amendments).
- B) Amend per the applicant's proposal, as revised at Board of County Commissioners' work session on 8/20/2013 (distance rounded up to 700 feet).
- C) Amend to eliminate the 100 foot wooded buffer/buffer setback.*
- D) Amend to reduce the area of the 100 foot wooded buffer/buffer setback to the southernmost extent of the 2011 forest cover.

* Option C was removed from consideration by the Planning Commission on September 18, 2013.

The 2011 forest cover mapping layer in the County's GIS program used a threshold of 5,000 square feet threshold for determining a forested area. Groupings of trees less than 5,000 square feet did not meet the threshold, thus these smaller areas do not show as tree cover. The 2011 tree

cover area begins approximately 1,180 feet north of the southern intersection of Old Town Road with MD 2/4 (as measured from the southeast corner of Parcel 135). See attached map.

Proposed text amendments to the master plan and to the zoning ordinance are attached.

CONSISTENCY WITH COMPREHENSIVE PLAN:

Pertinent sections of the 2010 Calvert County Comprehensive Plan include the following:

Overview- Purpose of the Comprehensive Plan

The goal of the Comprehensive Plan is to maintain and/or improve the overall quality of life for all citizens of Calvert County by:

- a. promoting sustainable development,
- b. encouraging a stable and enduring economic base,
- c. providing for safety, health, and education, and
- d. preserving the natural, cultural, and historic assets of Calvert County.

The goal is expressed in a series of 10 visions. (Page iii)

Visions (Page iv):

“Our landscape is dominated by forests and fields.”

“Our Town Centers are attractive, convenient, and interesting places to live, work and shop.”

Chapter I: Land and Water: Land Use & Growth Management: Land Use & Growth Management

Pertinent objectives include:

- Preserve the rural character of the County, its prime farmland, contiguous forests, historic resources, and environmentally sensitive areas.
- Develop town centers as attractive, pleasant, and convenient places to live, work, and shop.
- Direct commercial and industrial uses to appropriate locations; provide necessary infrastructure. (Page 1)

Pertinent actions include:

Action I-18: “Continue to promote a broad mix of commercial, office, residential, public, and quasi-public development within town centers.” (Page 8)

Action I-22: “Continue to improve the appearance of town centers by emphasizing Town Center Master Plan Capital Improvements Projects and Architectural Review.” (Page 8)

Action I-24: “As Master Plans are revised, look for ways to preserve and enhance the unique character of each town center.” (Page 8)

The key objectives are developing the town centers as attractive, pleasant and convenient places to live, work and shop, and the directing commercial uses to appropriate locations. The Town Centers have been designated as appropriate places for commercial development.

CONCLUSION/STAFF RECOMMENDATIONS:

Any proposed amendments to the Huntingtown Master Plan must follow the process in State code, including providing State agencies a 60-day review period prior to the public hearing. Proposed zoning ordinance amendments must follow the State code and Calvert County Zoning Ordinance processes. The State code does not have a state agency review requirement for amendments to a zoning ordinance.

Staff recommends:

- 1) The Planning Commission review and discuss the proposed text amendments; and
- 2) The Planning Commission decided whether to:
 - a. Direct staff to send out proposed amendments for agency comments, or
 - b. Direct staff to work on proposed amendments and resubmit.

Attachments



EXHIBIT 8 HUNTINGTOWN TOWN CENTER MASTER PLAN

Huntingtown, 1993 aerial with 2011 buildings



The data represented here are maintained to the best ability of Calvert County Government. Users assume responsibility for all decisions based on this data.

Huntingtown, 2011 Aerial with Forest Cover



The data represented here are maintained to the best ability of Calvert County Government. Users assume responsibility for all decisions based on this data.



Text Amendment #13-10
Huntingtown Master Plan and Zoning Ordinance
Planning Commission
September 18, 2013

OPTION A:
No change,
100 foot wooded
buffer / setback
begins
approximately
540 feet north of
Old Town – MD
2/4 southern
intersection



OPTION B:
Amend per
Applicant's
Proposal:
Preserve 100
foot wooded
buffer / setback
approximately
700 feet north of
Old Town – MD
2/4 southern
intersection



OPTION D:

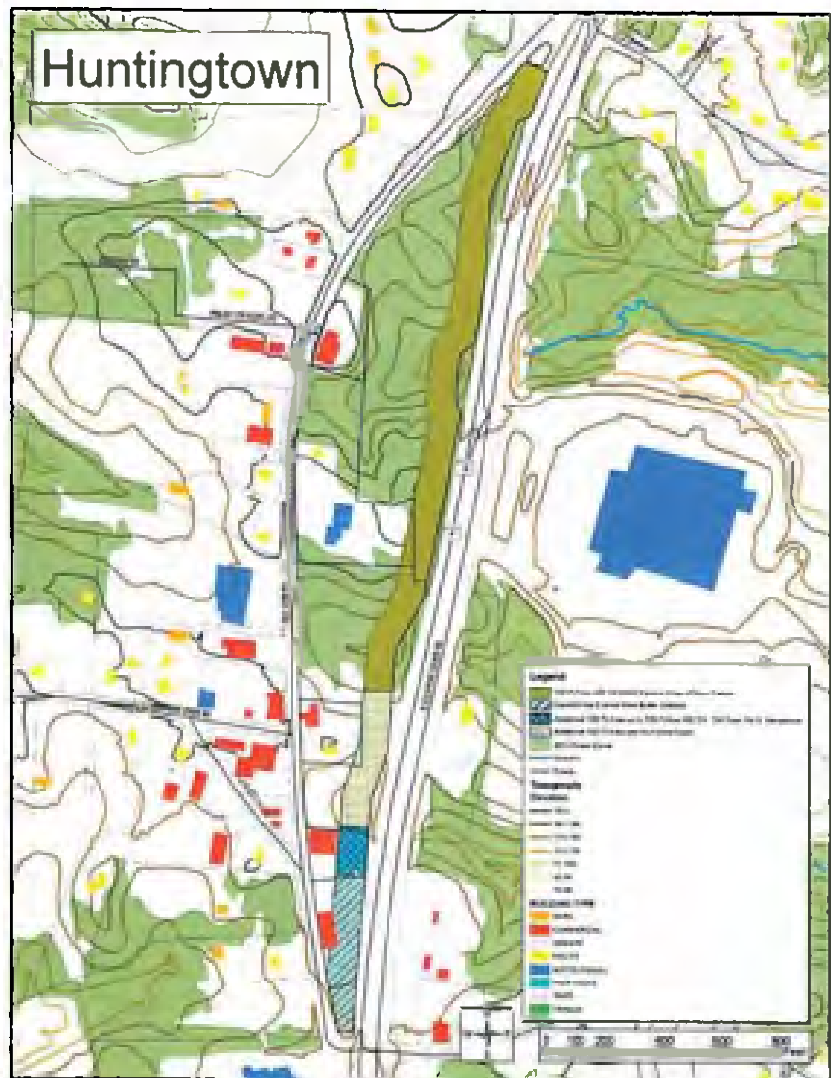
Amend to reduce
100 foot wooded
buffer / setback
to southern most
extent of the
2011 Forest
Cover: Preserve
approximately
1,180 north of
Old Town – MD
2/4 southern
intersection



Composite map
on 2011 aerial
photograph



Composite map
showing
topography



Photographs
Taken September 16, 2013
along MD 2/4 from the Northern
to Southern Old Town Road
Intersections

8



Welcome Sign

9



View of MD 2/4 looking south

10



View toward bank buildings

11



12



Old Town Automobile

13



Old Town Automobile

14



Huntingtown Plaza

15



Huntingtown Plaza

12



Property owned by State

13



CALVERT COUNTY PLANNING COMMISSION

150 Main Street
Prince Frederick, Maryland 20678
410-535-2348 • 301-855-1243
Fax: 410-414-3092

Maurice Lusby, Chairman

TO: Maryland State Clearinghouse
FROM: Maurice Lusby, Chairman
DATE: January 14, 2014
SUBJECT: Proposed Amendments to the Huntingtown Master Plan

The Calvert County Planning Commission is considering proposed amendments to the *Huntingtown Master Plan* and to the *Huntingtown Zoning Ordinance*. The Planning Commission is providing copies of the proposed amendments to the master plan to the State per the Land Use Article of the Annotated Code of Maryland. **Please distribute the proposed amendments to the State agencies.**

The proposed master plan amendments include text amendments to one of the landscaping actions under the Community Appearance section, and amendments to the Huntingtown Town Center Master Plan Map. The proposed amendments would modify the extent and location of the wooded buffer along the Town Center's eastern boundary along MD 2/4 (the western edge of the State road). The Planning Commission is seeking comments on several options: A, B, D and E. The proposed Huntingtown Master Plan amendments are enclosed: Landscaping section (two pages, dated 1/2/2014) and Huntingtown Master Plan Map (five pages: the current map (effective March 7, 2012) and Options A, B, D and E). In addition, maps at a larger scale with 2011 aerial photography are provided for illustrative purpose (Huntingtown Text Amendment #13-10, dated December, 2013). Please note that Figure 5 Landscape Buffer map (enclosed) would be amended to match whichever option is chosen for the Huntingtown Master Plan map.

Please review the proposed amendments. Please submit comments by 4:30 p.m., March 17, 2014. Comments will be provided to the Planning Commission and the Board of County Commissioners. Address comments to Mr. Maurice Lusby, Chairman, Calvert County Planning Commission. Comments may be submitted by email: pz@co.cal.md.us, mail: 150 Main Street, Suite 300, Prince Frederick, MD 20678; fax: 410-414-3092; or hand delivered to 150 Main Street, Suite 300, Prince Frederick, MD 20678.

The Planning Commission and Board of County Commissioners will hold a joint public hearing on the proposed amendments. The date of the public hearing has not been set; however, it will occur no sooner than March 18, 2014. The date will be posted on Calvert County's website (www.co.cal.md.us, click on Public Hearings), or you may contact the Community Planning and Building Department to confirm the date, time and location.

For your reference, the *Huntingtown Master Plan and Zoning Ordinance* is available on line from the Huntingtown Town Center webpage: <http://www.co.cal.md.us/index.aspx?NID=610>. If you have any questions, please contact Jenny Plummer-Welker, Principal Planner, at 410-535-1600, ext. 2333 or plummmej@co.cal.md.us.

cc: Mark Davis, Davis Upton Palumbo & Dougherty, LLC

E. Community Appearance

Huntingtown has been fortunate in that most new development has complimented traditional local architectural styles characterized by peaked tin roofs, front porches, clapboard siding and shutters. Community appearance requirements addressing architecture, landscaping, signage, and lighting will encourage new development to preserve the small town character of Huntingtown. Furthermore, these appearance standards can help enhance Huntingtown's streetscape and contribute to a distinctive sense of place.

Architecture

ACTIONS:

1. Adopt Architectural Requirements and Guidelines to encourage the development of a compatible architecture which blends in with Huntingtown as an historic farming community.
2. Require that new growth use materials, scales, building elements and building configurations which are similar to those which currently exist in the town. Require that these standards apply only within the Mixed Use and Neighborhood Districts.
3. Appoint an architectural review committee as proposed to aid in the interpretation and modifications of these standards. The purpose of the committee is to stabilize and improve property values in the district and to preserve specific buildings or structures in the district, which are deemed to be of historic or architectural value, to foster civic beauty, to strengthen the local economy and to promote the use of the district for the education, pleasure and welfare of the citizens.

Landscaping

ACTIONS:

1. Adopt specific landscape standards addressing screening of objectionable views, street trees, and landscaping within parking lots.

OPTION A - No change

2. Preserve a 100 foot wooded buffer along the Town Center's frontage on MD 2/4 from the northern intersection with Old Town Road to approximately 540 feet north of the southern intersection of Old Town Road with MD 2/4 (as measured from the southeast corner of Parcel 135 on Tax Map 18). This will buffer the town from MD 2/4, screen the rear of any new development along the east side of Old Town Road from MD 2/4, and preserve the attractive natural setting along MD 2/4.

OPTION B – Applicant’s request (as modified at the Board of County Commissioner’s 8/20/13 work session)

2. Preserve a 100 foot wooded buffer along the Town Center’s frontage on MD 2/4 from the northern intersection with Old Town Road to approximately ~~540~~ 700 feet north of the southern intersection of Old Town Road with MD 2/4 (as measured from the southeast corner of Parcel 135 on Tax Map 18). This will buffer the town from MD 2/4, screen the rear of any new development along the east side of Old Town Road from MD 2/4, and preserve the attractive natural setting along MD 2/4.

OPTION C – Removed from consideration by the Planning Commission, September 18, 2013

OPTION D – Amend to reduce the area of the 100 foot wooded buffer to southernmost extent of the 2011 forest cover

2. Preserve a 100 foot wooded buffer along the Town Center’s frontage on MD 2/4 from the northern intersection with Old Town Road to approximately ~~540~~ 1,180 feet north of the southern intersection of Old Town Road with MD 2/4 (as measured from the southeast corner of Parcel 135 on Tax Map 18). This will buffer the town from MD 2/4, screen the rear of any new development along the east side of Old Town Road from MD 2/4, and preserve the attractive natural setting along MD 2/4.

OPTION E – Amend to extend the 100 foot wooded buffer to the southern intersection of Old Town Road with MD 2/4.

2. Preserve a 100 foot wooded buffer along the Town Center’s frontage on MD 2/4 from the northern intersection with Old Town Road to ~~approximately 540 feet north of~~ the southern intersection of Old Town Road with MD 2/4 ~~(as measured from the southeast corner of Parcel 135 on Tax Map 18)~~. This will buffer the town from MD 2/4, screen the rear of any new development along the east side of Old Town Road from MD 2/4, and preserve the attractive natural setting along MD 2/4.



HUNTINGTOWN TOWN CENTER

MASTER PLAN MAP

Effective Date: March 7, 2012



Legend

HUNTINGTOWN TOWN CENTER

- OPEN SPACE
- VILLAGE GREEN OVERLAY
- NEIGHBORHOOD DISTRICT
- MIXED USE DISTRICT
- RESIDENTIAL DISTRICT
- PROPOSED ROAD
- EXISTING ROAD
- TOWN CENTER

400 200 0 400 Feet



HUNTINGTOWN TOWN CENTER

MASTER PLAN MAP

Effective Date: March 7, 2012

PROPOSED MASTER PLAN AMENDMENTS TEXT AMENDMENT #13-10

OPTION A

Carroll
Victoria
Lodge

Legend

HUNTINGTOWN TOWN CENTER

- OPEN SPACE
- VILLAGE GREEN OVERLAY
- NEIGHBORHOOD DISTRICT
- MIXED USE DISTRICT
- RESIDENTIAL DISTRICT
- PROPOSED ROAD
- EXISTING ROAD
- TOWN CENTER

400 200 0 400 Feet



HUNTINGTOWN TOWN CENTER

MASTER PLAN MAP

Effective Date: March 7, 2012

PROPOSED MASTER PLAN AMENDMENTS TEXT AMENDMENT #13-10

OPTION B

Carroll
Victoria
Lodge

Legend

HUNTINGTOWN TOWN CENTER

- OPEN SPACE
- VILLAGE GREEN OVERLAY
- NEIGHBORHOOD DISTRICT
- MIXED USE DISTRICT
- RESIDENTIAL DISTRICT
- PROPOSED ROAD
- EXISTING ROAD
- TOWN CENTER

400 200 0 400 Feet



HUNTINGTOWN TOWN CENTER

MASTER PLAN MAP

Effective Date: March 7, 2012

PROPOSED MASTER PLAN AMENDMENTS TEXT AMENDMENT #13-10

OPTION D

Carroll
Victoria
Lodge

Legend

HUNTINGTOWN TOWN CENTER

- OPEN SPACE
- VILLAGE GREEN OVERLAY
- NEIGHBORHOOD DISTRICT
- MIXED USE DISTRICT
- RESIDENTIAL DISTRICT
- PROPOSED ROAD
- EXISTING ROAD
- TOWN CENTER

400 200 0 400 Feet



HUNTINGTOWN TOWN CENTER

MASTER PLAN MAP

Effective Date: March 7, 2012

PROPOSED MASTER PLAN AMENDMENTS TEXT AMENDMENT #13-10

OPTION E

Legend

HUNTINGTOWN TOWN CENTER

-  OPEN SPACE
-  VILLAGE GREEN OVERLAY
-  NEIGHBORHOOD DISTRICT
-  MIXED USE DISTRICT
-  RESIDENTIAL DISTRICT
-  PROPOSED ROAD
-  EXISTING ROAD
-  TOWN CENTER

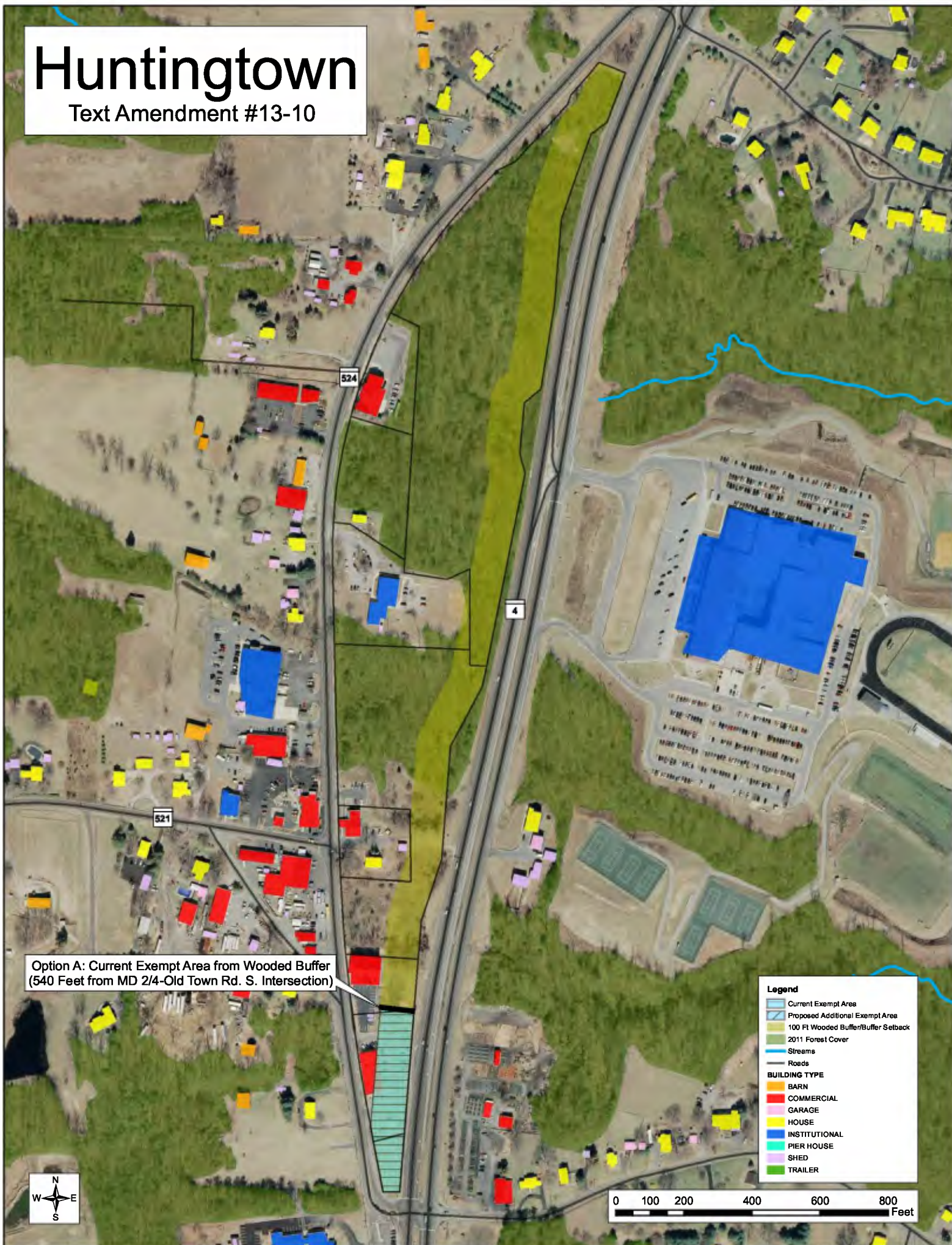
Carroll
Victoria
Lodge

400 200 0 400 Feet



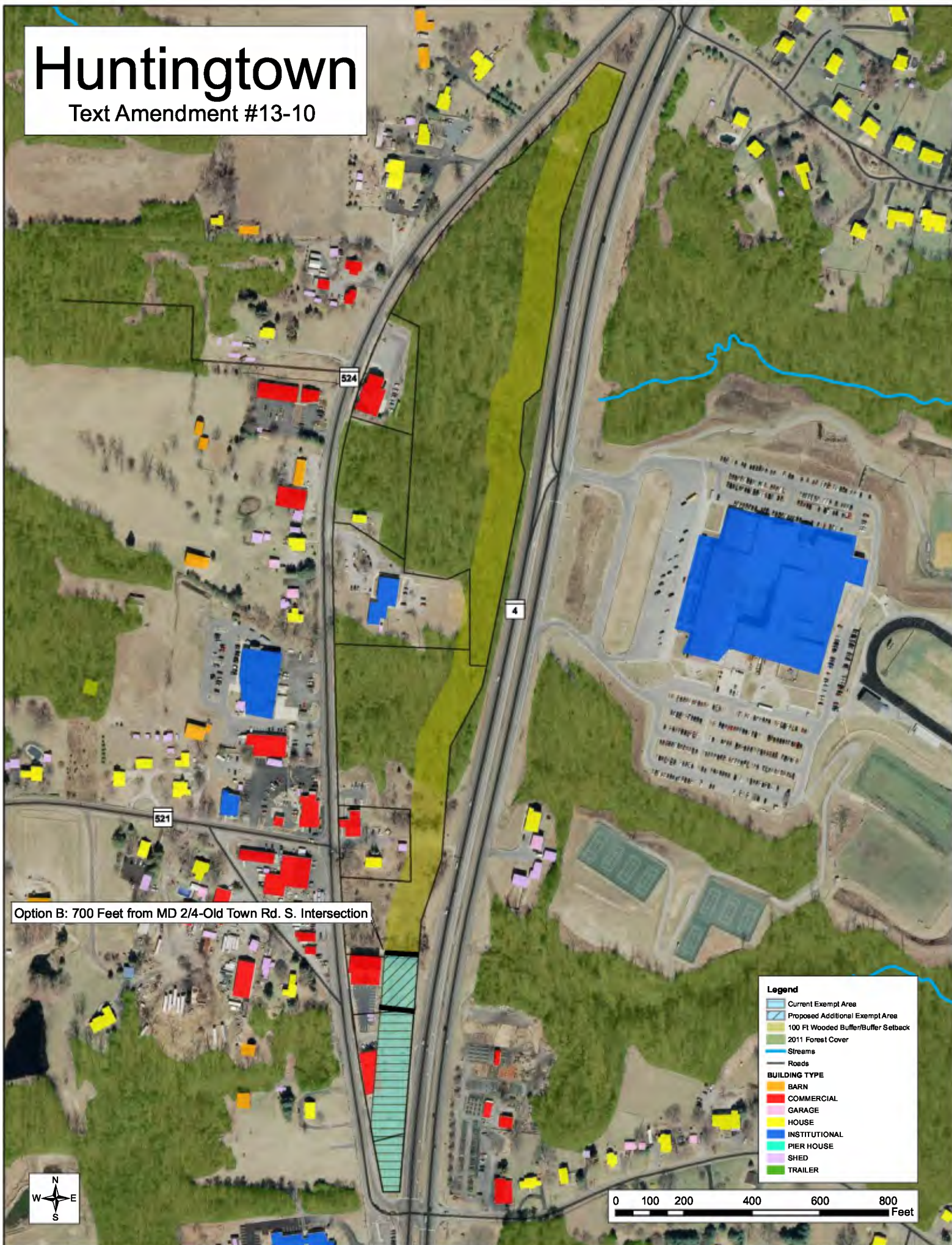
Huntingtown

Text Amendment #13-10



Huntingtown

Text Amendment #13-10



Option B: 700 Feet from MD 2/4-Old Town Rd. S. Intersection

Legend

- Current Exempt Area
 - Proposed Additional Exempt Area
 - 100 Ft Wooded Buffer/Buffer Setback
 - 2011 Forest Cover
 - Streams
 - Roads
- BUILDING TYPE**
- BARN
 - COMMERCIAL
 - GARAGE
 - HOUSE
 - INSTITUTIONAL
 - PIER HOUSE
 - SHED
 - TRAILER

Huntingtown

Text Amendment #13-10

Option D: Southern Extent of 2011 Forest Cover

Legend

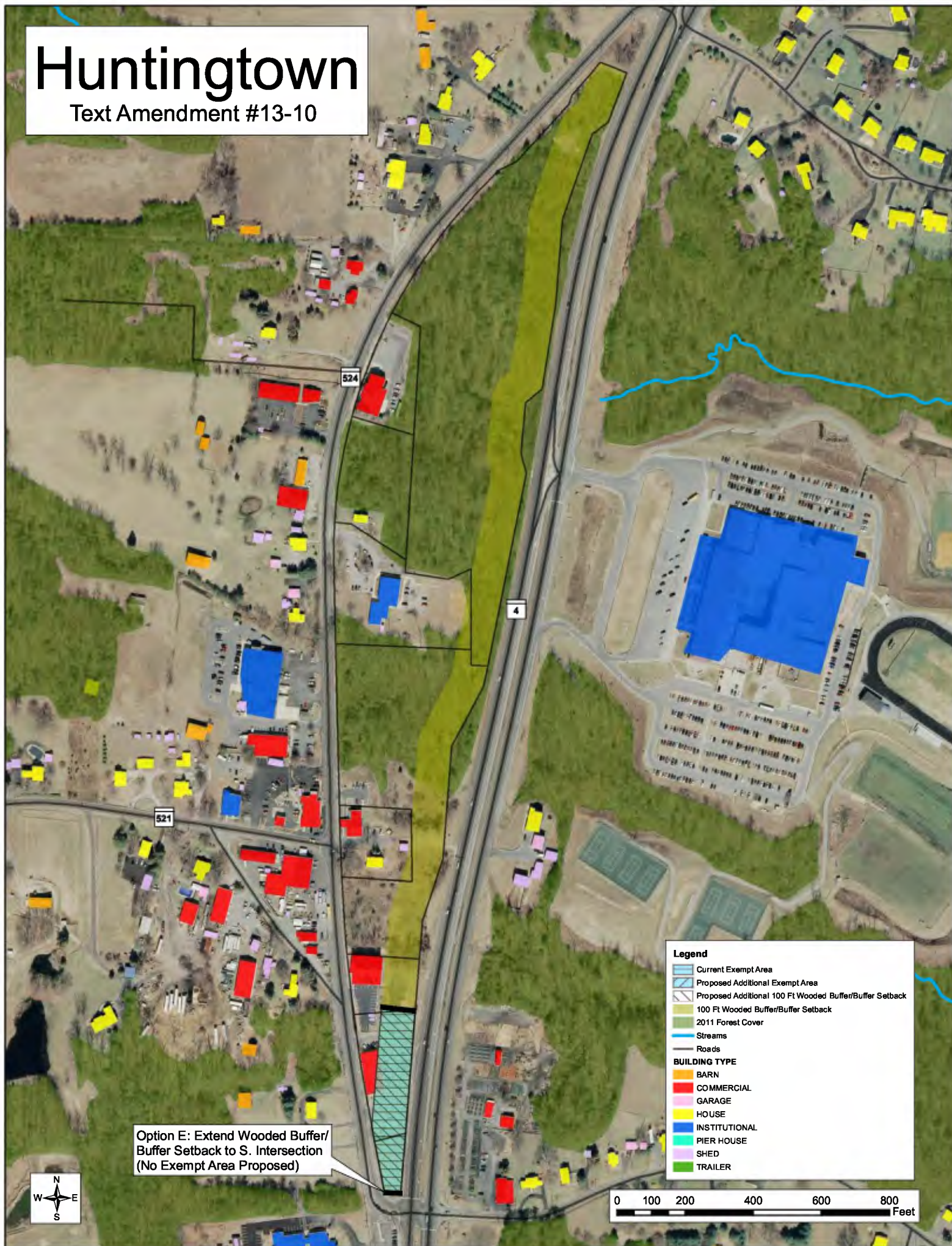
- Current Exempt Area
 - Proposed Additional Exempt Area
 - 100 Ft Wooded Buffer/Buffer Setback
 - 2011 Forest Cover
 - Streams
 - Roads
- BUILDING TYPE**
- BARN
 - COMMERCIAL
 - GARAGE
 - HOUSE
 - INSTITUTIONAL
 - PIER HOUSE
 - SHED
 - TRAILER



0 100 200 400 600 800 Feet

Huntingtown

Text Amendment #13-10



Huntingtown

Text Amendment #13-10
















Option D: Southern Extent of 2011 Forest Cover

Option B: 700 Feet from MD 2/4-Old Town Rd. S. Intersection

Option A: Current Exempt Area from Wooded Buffer
(540 Feet from MD 2/4-Old Town Rd. S. Intersection)

Option E: Extend Wooded Buffer/
Buffer Setback to S. Intersection
(No Exempt Area Proposed)

Legend

-  Current Exempt Area
-  Proposed Additional Exempt Area
-  Proposed Additional 100 Ft Wooded Buffer/Buffer Setback
-  100 Ft Wooded Buffer/Buffer Setback
-  2011 Forest Cover
-  Streams
-  Roads
- BUILDING TYPE**
-  BARN
-  COMMERCIAL
-  GARAGE
-  HOUSE
-  INSTITUTIONAL
-  PIER HOUSE
-  SHED
-  TRAILER



0 100 200 400 600 800 Feet

Figure 5
Landscape Buffer

**CALVERT COUNTY HEALTH DEPARTMENT
DIVISION OF ENVIRONMENTAL HEALTH**

P.O. Box 980
Prince Frederick, Maryland 20678

Laurence Polsky, MD, MPH, F.A.C.O.G.
Health Officer

Paul S. McFaden, RS
Director



STATE OF MARYLAND

October 2, 2013

(410) 535-3922

Washington Area (301) 855-1557

FAX (410) 535-5252

www.calverthealth.org

To: Jenny Plummer-Welker, AICP
Principal Planner
Community Planning and Building

From: William E. Haygood R.S. 

Re: Text Amendment Case # 13-10 – Comment.

This office has no comment on the proposed text amendments.

RECEIVED

OCT 02 2013

Community Planning & Bldg.



Kevin M. Frere, Chair

**CALVERT COUNTY
ECONOMIC DEVELOPMENT COMMISSION**

Courthouse, 175 Main Street
Prince Frederick, Maryland 20678
410-535-1600
www.ecalvert.com

Board of Commissioners
Gerald W. Clark
Pat Nutter
Susan Shaw
Evan K. Slaughenhaupt Jr.
Steven R. Weems

October 17, 2013

Ms. Mary Beth Cook
Deputy Director
Calvert County Department of Community Planning & Building
Courthouse
Prince Frederick, MD 20678

RE: Text Amendment Case No. 13-10- Proposed Text Amendments to the Huntingtown Master Plan and Zoning Ordinance

Dear Ms. Cook:

On October 9, 2013, the Economic Development Commission (EDC) voted regarding the above-referenced text amendment:

- Text Amendment Case No. 13-10 – The EDC discussed Options A, B, and D and with a vote of 4 in favor, 3 opposed, 1 member recusing himself from the vote, and 1 member not voting, the EDC agrees with the changes outlined in Option D.

Thank you for the opportunity to comment on these proposed text amendments.

Sincerely,

A handwritten signature in black ink that reads "Kevin M. Frere".

Kevin Frere
Chair

cc: Calvert County Board of County Commissioners



**ECONOMIC DEVELOPMENT
INTEROFFICE MEMORANDUM**

TO: Mary Beth Cook, Deputy Director, Dept. of Comm. Planning & Bldg.
FROM: Linda Vassallo, Director
DATE: October 17, 2013
SUBJECT: Text Amendment Case No. 13-10

Background:

A request for comments was received regarding Text Amendment Case No. 13-10:

Text Amendment Case No. 13-10–Proposed Text Amendments to the Huntingtown
Master Plan and Zoning Ordinance

Recommendation:

The Department of Economic Development (DED) offers the following comments regarding the above-referenced text amendment:

- Text Amendment Case No. 13-10 –The DED agrees with the changes outlined in Option D.

cc: Calvert County Board of County Commissioners



CALVERT COUNTY FOREST CONSERVANCY DISTRICT BOARD

David Clark, Chair

Charles Gustin, Vice-Chair

Dawn Balinski, Treasurer

Ken Korando

Steve Gaines

Jill Lee

Jenny Plummer-Welker
Calvert Co. Government
Dept. of Community Planning & Building
150 Main Street, Suite 300
Prince Frederick, MD 20678

October 22, 2013

Dear Mrs. Plummer-Welker,

The Calvert County Forestry Board has reviewed Text Amendment 13-10, revisions to the Huntingtown Master Plan and the Huntingtown Town Center Zoning Ordinance. The Board recommends Option A, no change to either the Master Plan or Town Center Zoning Ordinance. The amount of forested land in the county, and in the state in general, is shrinking, mostly due to development and land clearing. The Board feels that the reduction of the size of the area considered "forested" or "naturally vegetated" in the Huntingtown Town Center would contribute to the loss of forestland in the county as well as reduce the overall natural beauty along MD Rt. 2-4.

If you wish to discuss this further or need additional details, please feel free to contact me at 410-535-1303 or at bstupak@dnr.state.md.us.

Sincerely,

Brian J. Stupak
Board Secretary

RECEIVED

OCT 22 2013

Community Planning & Bldg.



**CALVERT COUNTY
AGRICULTURE COMMISSION**

Courthouse, 175 Main Street
Prince Frederick, Maryland 20678
410-535-4583
www.calvertag.com

Board of Commissioners
Gerald W. Clark
Pat Nutter
Susan Shaw
Evan K. Slaughenhoupt Jr.
Steven R. Weems

RECEIVED

OCT 29 2013

October 21, 2013

Ms. Jenny Plummer-Welker, AICP
Principal Planner
Calvert County Department of Community Planning & Building
Courthouse
Prince Frederick, MD 20678

Community & Bldg.

RE: Text Amendment Case No. 13-10, Proposed Text Amendments to the Huntingtown Master Plan and Zoning Ordinance

Dear Ms. Plummer-Welker:

The Agriculture Commission offers the following comments regarding the above-referenced text amendment:

- Option A – no comment
- Option B – no comment
- Option C – removed from consideration by the Planning Commission.
- Option D - the Agriculture Commission does not support this option. This option opposes the primary vision of the 2010 Comprehensive Plan which states "Our landscape is dominated by forests and fields." By reducing the wooded buffer to the southernmost end, virtually all natural forested area will be removed. Secondly, the Comprehensive Plan states "Our Town Centers are attractive, convenient and interesting places to live, work and shop." By eliminating the natural wooded buffer, the Huntingtown Town Center will no longer be attractive. Rather than remove an existing wooded buffer, considerations should be made for an attractive sign directing county residents and passers-by to the Huntingtown Town Center. It is interesting to note that the St. Leonard and Lusby Town Centers are also hidden from view by natural forest and field buffers.

Thank you for the opportunity to comment on these proposed text amendments.

Sincerely,

A handwritten signature in cursive script that reads "Susan Cox".

Susan Cox
Chair

cc: Calvert County Board of County Commissioners

Maryland Relay for Impaired Hearing or Speech: 1-800-735-2258



**CALVERT COUNTY
ARCHITECTURAL REVIEW COMMITTEE**

150 Main Street
Prince Frederick, Maryland 20678
410-535-2348 • 301-855-1243
Fax: 410-414-3092

Board of Commissioners
Gerald W. Clark
Pat Nutter
Susan Shaw
Evan K. Slaughenhoupt Jr.
Steven R. Weems

RECEIVED

DEC 11 2013

Community Planning & Bldg.

October 18, 2013

Maurice Lusby, Chair
Calvert County Planning Commission
150 Main Street, Suite 304
Prince Frederick, MD 20678

RE: Proposed Text Amendment Case # 13-10, Huntingtown Master Plan & Zoning Ordinance

Dear Mr. Lusby,

On October 17, 2013, the Huntingtown Architectural Review Committee (ARC) voted regarding the proposed text amendments to the Huntingtown Master Plan and Zoning Ordinance.

The Committee is concerned that the reduction of the 100 foot buffer setback along Route 2/4 would be a significant negative visual impact to the community and compromise the quality of life in Huntingtown. The intent of this buffer, as outlined in the Huntingtown Town Center Zoning Ordinance, is to "...buffer the town from MD 2/4, screen the rear of any new development along the east side of Old Town Road from MD 2/4, and preserve the attractive natural setting along MD 2/4."

The HARC discussed options A, B, and D, and also discussed the elimination of the buffer setback (option C). The ARC voted 3-0, with one abstention, for a new option. The Committee would like to offer another approach for consideration, option E; to extend the 100 foot buffer setback. Specifically, the Committee proposes that the buffer be extended along Route 2/4, from its northern intersection to its southern intersection with Old Town Road, and that the buffer setback be planted if no vegetation exists.

Sincerely,

Frank Arbusto (HS)
Frank Arbusto

Thomas LaMoure
Thomas LaMoure

Mary Ballard Jenkins
Mary Ballard- Jenkins



Maryland Department of Planning

Sustain~~able~~_____Attain~~able~~

March 7, 2014

Maurice Lusby, Chairman
Calvert County Planning Commission
150 Main Street
Prince Frederick, MD 20678

Dear Mr. Lusby,

Thank you for the opportunity to review Huntingtown Master Plan Amendment. It is our understanding that if adopted by the Board of County Commissioners (BOCC), the Comprehensive Plan Amendment would amend the County's existing Huntingtown Master Plan and change the location and length of the required wooded buffer along the Town Center's eastern boundary with MD 2/4.

As it appears, the only change resulting from this amendment is the location and size of a wooded buffer. Therefore, there are no land use changes or significant text changes. The proposed changes are consistent with the County's Huntingtown Master Plan and the County's Comprehensive Plan. For assistance in updating the Huntingtown district's documentation, or in developing design guidelines, we encourage Calvert County to apply for funding through the Certified Local Government program, administered by the Maryland Historical Trust. Applications are typically due in May of each year.

If you have any questions please feel free to contact Michael Paone, review coordinator at (410) 767-4554. Again, thank you for the opportunity to review the Comprehensive Plan amendment.

Sincerely,

Peter G. Conrad, AICP
Director, Local Planning Assistance

cc: Rich Josephson, MDP
Michael A. Paone, Regional Planner, MDP
Yolanda Hipski, Calvert Co. Community Planning and Building

Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

Richard Eberhart Hall, AICP, Secretary
Amanda Stakem Conn, Esq., Deputy Secretary

**Maryland Department of Planning
Review Comments
Draft Huntington Area Master Plan
March 7, 2014**

- We appreciate the inclusion of “traditional local architectural styles” in Section E (Community Appearance); the styles described are based on the historic architectural types and forms that are typical of Huntingtown and many of Maryland’s rural communities. It is, as the amendment notes, important to retain and complement the town’s distinctive features to protect and enhance its character and appearance.
- The Maryland Historical Trust supports the recommendation to adopt architectural requirements and guidelines (Architecture: Action 1) to “encourage the development of a compatible architecture which blends in with Huntingtown as an historic farming community.” Prior to developing these guidelines, we recommend that the Planning Commission work with the County’s Historic District Commission and the Maryland Historical Trust to ensure that Huntingtown’s historic properties are appropriately surveyed and documented. Up-to-date documentation is essential to establish Huntingtown’s character-defining features and architectural types, forms and materials, as well as to provide guidance for new construction.
- While we appreciate the proposal to create an overlay district and architectural review committee (Architecture: Action 2), we recommend that the County consider local historic designation and review by the Historic District Commission for appropriate historic properties, following survey and documentation. This would ensure qualified commission review for those properties “deemed to be of historic... value.”



Maryland Department of Transportation
The Secretary's Office

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor

James T. Smith, Jr.
Secretary

February 20, 2014

Mr. Mike Paone
Maryland Department of Planning
301 West Preston Street, Suite 1101
Baltimore MD 21201 – 2305

Dear Mr. Paone: *Mike*

Thank you for the opportunity to review the Proposed Amendments to the Huntingtown Master Plan and Zoning Ordinance. The proposed amendments would modify the extent and location of the wooded buffer along the Huntingtown Town Center's eastern boundary along MD 2/4. In summary, Maryland Department of Transportation's (MDOT) comments constitute an R1 determination (Generally Consistent with Qualifying Comments), with the following comments provided:

1. The submitted amendment should be revised to reflect that "Old Town Road" is also designated MD 524.
2. Our State Highway Administration's (SHA) Highway Needs Inventory (HNI) shows potential roadway improvements on MD 4 (Solomons Island Road) including a reconstruction of the existing divided highway with additional access controls. The potential right-of-way needs for this improvement, including the needed stormwater controls, could be reach 195 feet in width or 98 feet from the center of the highway and potentially impact the forested buffer depending upon the final design.
3. SHA has completed a feasibility study for Huntingtown that suggests several potential roadway improvements which could impact parts of the proposed forested buffer especially at the northern intersection of MD 524 and MD 4. The segments of forest adjacent to these potential improvements should not be considered as part of any protected buffer for the adjacent landowners or for the Town as SHA cannot guarantee that future road improvements will not impact those segments.
4. It should also be noted that SHA's existing right-of-way along the eastern side of Solomons Island Road (MD 4) varies in width adjacent to Huntingtown and may extend into portions of the existing forest land cover. These segments of forest should not be considered as part of any protected buffer for the adjacent landowners or for the Town as SHA cannot guarantee that future road improvements will not impact those segments.

I hope these comments are helpful.

Sincerely,

Donald A. Halligan, Director
Office of Planning and Capital Programming

My telephone number is _____
Toll Free Number 1-888-713-1414 TTY Users Call Via MD Relay
7201 Corporate Center Drive, Hanover, Maryland 21076

Mr. Mike Paone

Page Two

cc: Ms. Melinda Peters, Administrator, SHA
Ms. Rita Pritchett, MDP
Mr. Lee Starkloff, District 5 Engineer, SHA



Director: Thomas Barnett

**CALVERT COUNTY
DEPARTMENT OF
COMMUNITY PLANNING & BUILDING**

150 Main Street
Prince Frederick, Maryland 20678
410-535-2348 • 301-855-1243
Fax: 410-414-3092

Board of Commissioners
Gerald W. Clark
Pat Nutter
Susan Shaw
Evan K. Slaughenhaupt Jr.
Steven R. Weems

QUESTIONS AND/OR COMMENTS

Public Hearing

Proposed Changes to Huntingtown Master Plan and Zoning Ordinance

TEXT AMENDMENT # 13-10

PLEASE PRINT

NAME* Elin Knowles DATE 3/26/2014
ADDRESS* 1330 Cox Rd
CITY* Huntingtown STATE* MD ZIP* 20639

I wish to comment or inquire about the following aspects of this project:

please leave 100ft to the current
location.

once you start moving setback what is going
to stop?

*REQUIRED if comments are to be considered for the public hearing formal record. Written comments may be submitted until 4:30 p.m. April 1 to the Department of Community Planning and Building, by email to pz@co.cal.md.us, or fax to 410-414-3092; or to Planning Commission Chairman Maurice Lusby, 150 Main Street, Prince Frederick, MD 20678; or bring in person to the Public Hearing at Huntingtown High School at 7:00 p.m. on the evening of April 1, 2014.

Mailing Address: 175 Main Street, Prince Frederick, Maryland 20678
Maryland Relay for Impaired Hearing or Speech: 1-800-735-2258



Director: Thomas Barnett

**CALVERT COUNTY
DEPARTMENT OF
COMMUNITY PLANNING & BUILDING**

150 Main Street
Prince Frederick, Maryland 20678
410-535-2348 • 301-855-1243
Fax: 410-414-3092

Board of Commissioners
Gerald W. Clark
Pat Nutter
Susan Shaw
Evan K. Slaughenhaupt Jr.
Steven R. Weems

QUESTIONS AND/OR COMMENTS

Public Hearing

Proposed Changes to Huntingtown Master Plan and Zoning Ordinance

TEXT AMENDMENT # 13-10

PLEASE PRINT

NAME* Terry Pennington DATE 3/26/14
ADDRESS* 1571 Wilson Rd
CITY* Huntingtown STATE* MD ZIP* 20639

I wish to comment or inquire about the following aspects of this project:

No change =
Keep the 100' buffer

to keep the town character

~~to keep the town character~~

*REQUIRED if comments are to be considered for the public hearing formal record. Written comments may be submitted until 4:30 p.m. April 1 to the Department of Community Planning and Building, by email to pz@co.cal.md.us, or fax to 410-414-3092; or to Planning Commission Chairman Maurice Lusby, 150 Main Street, Prince Frederick, MD 20678; or bring in person to the Public Hearing at Huntingtown High School at 7:00 p.m. on the evening of April 1, 2014.

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Director: Thomas Barnett

**CALVERT COUNTY
DEPARTMENT OF
COMMUNITY PLANNING & BUILDING**

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Prince Frederick, Maryland 20678
410-535-2348 • 301-855-1243
Fax: 410-414-3092

Board of Commissioners
Gerald W. Clark
Pat Nutter
Susan Shaw
Evan K. Slaughenhaupt Jr.
Steven R. Weems

QUESTIONS AND/OR COMMENTS

Public Hearing

**Proposed Changes to Huntingtown Master Plan and Zoning Ordinance
TEXT AMENDMENT # 13-10**

PLEASE PRINT

NAME* Larry Stonnell DATE 3-26-14
ADDRESS* 895 Carson Rd
CITY* Huntingtown STATE* MD ZIP* 20639

I wish to comment or inquire about the following aspects of this project:

The Lawyer representing the property owner
did not say what they intended to
use the property for if the request to
remove the buffer was granted.

*REQUIRED if comments are to be considered for the public hearing formal record. Written comments may be submitted until 4:30 p.m. April 1 to the Department of Community Planning and Building, by email to pz@co.cal.md.us, or fax to 410-414-3092; or to Planning Commission Chairman Maurice Lusby, 150 Main Street, Prince Frederick, MD 20678; or bring in person to the Public Hearing at Huntingtown High School at 7:00 p.m. on the evening of April 1, 2014.

Mailing Address: 175 Main Street, Prince Frederick, Maryland 20678
Maryland Relay for Impaired Hearing or Speech: 1-800-735-2258

From: Steve Wells
To: Community Planning and Building
Subject: Amendment 13-10 Huntingtown Master Plan and Zoning Ordinance
Date: Wednesday, March 26, 2014 9:56:05 PM

Dear Board of Commissioners:

After careful consideration, as a Huntington resident, I oppose any changes to the current zoning and request that the board vote against the changes. The current zoning and ordinance should remain and be enforced as it was intended. I believe that any changes to allow the current owner to have unrestricted use of the buffer zone area would detract from the Huntington Town Center, have the potential to increase traffic and potentially add further distraction on Route 2/4 prior to an already dangerous intersection!

Respectfully,

Stephen J. Wells
3223 Holland Cliffs Road
Huntingtown, MD 20639
410-414-2184

Sent from my iPad

From: ppearls@comcast.net
To: [Community Planning and Building](#)
Subject: Public Hearing - Proposed Changes to Huntingtown Master Plan & Zoning Ordinance
Date: Wednesday, March 26, 2014 10:55:25 PM

Ref: Text amendment #13-10

After attending the Open/informal meeting tonight (3/26 @ Huntingtown HS)

I would like to make several points of issue as I understand them:

#1 Mr. Accipiter purchase a piece of property in Huntingtown in order to open his business. At purchase the property was "saved" for a "possible" road improvement...Mr. Accipiter took the risk in order to open his Classic car business, in a county which he is a resident. He majorly improved the property from the Trainer and used car business that was there at the time. He added side walks and made a wonderful addition to the "city center".

#2 From my understanding: The Planning commission basically changed the "rules" and moved the 100 ft wooded buffer down to the edge of the "7-11 strip center" parking lot and did not contact Mr. Accipiter of the change. Note: the "7-11 strip center" is currently not complainant with the 10 ft. set-back as set by the Planning commission.

Note: I personal, look at this as if county government could come onto my property, which is surrounded by "flood plans" and not notify me of a change to the set backs and then when I wanted to add an out building...then they would tell me I could not build.

I feel Mr. Accipiter should have been personally notified of the change as it affected only him.

#3 Now the Commission wants us to comment on the proposed A, B, D & E.

With a concentration only on Option B tonight, moving the line to the top/north edge of Mr. Accipiter's property. Which he did not ask for...my understanding is that a member of the commission suggested this. Mr. Accipiter only wanted the line to move to the tree line on his property...the existing tree line in 1993 (or so I can't remember the exact date)

Mr. Accipiter was willing to stop at the tree line...the commission person was the one who...for boxed off easy lines...wanted to move the tree line north. Mr. Accipiter was willing to leave the current tree line as is...but would like the 100ft wooded buffer to return to the original point of the 1993 position. No more but no less.

My the major concern is with the the option E...which removes the 100ft wooded set back from the property north of Mr. Accipiter's.

If Mr. Accipiter is OK with the wooded area as is and on his property, I am OK with that. I feel that the line does not need to be set at each property line and that way should not be moved to the next northern property line, slowly eating away the green space.

I feel the Planning Commission has already given that away by allowing the "Medical Building" to cut down a historic tree that was on the property and replace it with new trees that will take years to grow. And if landscaped, trimmed and mulched will never grow into a "Wooded Buffer".

My feeling is that any further changes and up grades that Mr. Accipiter wants to make from the current structure should follow currently set approvals and permits, just like any other business in the county.

In conclusion, I feel that Mr. Accipiter took a risk to upgrade a property in the City Center of Huntingtown and now he is being penalized for his effort.

Pamela A. Watson-Walker
1631 Meadow Oaks Lane
Huntingtown, Md 20639
Another Small business owner in Calvert County



Director: Thomas Barnett

**CALVERT COUNTY
DEPARTMENT OF
COMMUNITY PLANNING & BUILDING**

150 Main Street
Prince Frederick, Maryland 20678
410-535-2348 • 301-855-1243
Fax: 410-414-3092

Board of Commissioners
Gerald W. Clark
Pat Nutter
Susan Shaw
Evan K. Slaughenhoupt Jr.
Steven R. Weems

QUESTIONS AND/OR COMMENTS

Public Hearing

**Proposed Changes to Huntingtown Master Plan and Zoning Ordinance
TEXT AMENDMENT # 13-10**

PLEASE PRINT

NAME* Glinda C. Anderson DATE 3/27/2014

ADDRESS* 125 Thomas Gantt Rd

CITY* Huntingtown STATE* MD ZIP* 20639

I wish to comment or inquire about the following aspects of this project:

My Concern is the flow of the traffic on route 4/2. I think the dealership should present a clear 10 year plan to what
he is going to do with his business as it relates to the reason for his proposed changes.

*REQUIRED if comments are to be considered for the public hearing formal record. Written comments may be submitted until 4:30 p.m. April 1 to the Department of Community Planning and Building, by email to pz@co.cal.md.us, or fax to 410-414-3092; or to Planning Commission Chairman Maurice Lusby, 150 Main Street, Prince Frederick, MD 20678; or bring in person to the Public Hearing at Huntingtown High School at 7:00 p.m. on the evening of April 1, 2014.

Mailing Address: 175 Main Street, Prince Frederick, Maryland 20678
Maryland Relay for Impaired Hearing or Speech: 1-800-735-2258

From: Mary B. Hollinger
To: Community Planning and Building
Subject: Proposed Changes to Huntingtown Master Plan and Zoning Ordinance
Date: Saturday, March 29, 2014 12:41:55 PM

Proposed Changes to Huntingtown Master Plan and Zoning Ordinance
TEXT AMENDMENT #13-10

From:
Mary B. Hollinger
PO Box 965
Huntingtown, MD 20639

On Tuesday, March 25, 2014, there were a number of good points made, both for but mostly against, granting Old Town Automobile a change in the buffer zone for that property. While I am somewhat sympathetic to the owner, I wish to add my voice AGAINST removing this buffer zone.

1. For the record, I want to keep the 100' wooded buffer in place (unchanged) at a minimum. Extending it (Option E) is my actual preferred option.
2. The idea of a wooded buffer was to keep Calvert County an attractive place, and not become an ugly strip-mall-looking area like some of our neighboring counties.
3. Wooded buffers also cut down enormously on traffic noise. An ever increasing issue.
4. Wooded buffers can also be a safety net when cars careen out of control. Landing in the woods is better than in a parking lot or a building where people may be congregating.
5. In the areas such as Old Town Auto or 7-Eleven, a buffer or set back *must* be maintained, even if they are never again converted to wooded areas. If left alone they would naturally revert to wooded areas, however.
6. Just because the property immediately north of Old Town Automobile has been totally destroyed does not mean we should continue ravaging our wonderful town. In case you haven't noticed, *no one* is happy about those old trees being cut down for no good reason. Planting a bunch of saplings will in no way make up for those ancient trees that once anchored our skyline as we drove out of Huntingtown. And drastically changing the entire topography of that stripped area may very likely come back to haunt us as well.
7. Granting another variance for Old Town Automobile just continues prior bad decisions. Stop it! It can't always be just about the money.
8. If the owner of Old Town Automobile wishes to expand his business, Huntingtown may not be the best location for him. An automobile dealership any larger than fits on the existing property is not a good fit for this site. I would suggest he sell the property to another business and relocate, possibly to Prince Frederick, where other car dealerships are already in place.

9. When the owner purchased the property, he should have been aware of the setbacks and limitations, and not assumed that he could bully the town into changing (sorry, "correcting") them for him later. If he wasn't, or didn't plan for future growth, one has to wonder about his business acumen.
10. I went to the location to see exactly what the lot looks like now and try to understand what the issue is. I'm more confused. There are at least 20 parking spaces, but I have rarely seen the place open. Why does he need more space?
11. The existing buffer area in question is largely graveled over anyway, and is being used to park advertising trucks in the pads available. It's already not being used as a buffer of any kind that's immediately obvious.
12. Old Town Automobile is completely visible from Rt 4 and can be seen from the light at Cox Road, so visibility is not the issue.
13. Most of us understand that this is all about money. For some of us, it's about quality of life. We've had hearings. We've made our wishes known. Listen to us now and don't push this down a very slippery slope by granting a variance. Once granted for one, it will be easier to do it again. This is exactly what many of us don't want.

From: Rob Oursler
To: Community Planning and Building
Subject: Text Amendment #13-10 Huntingtown Master plan
Date: Sunday, March 30, 2014 9:22:11 PM

3/30/14

Name: Robert Oursler
314 Kim's Way
Huntingtown, MD 20639

Comments:

I believe the county should vote against the proposed amendments to the Master Plan that would modify the extent and location of the wooded buffer along the Town Center's eastern boundary along MD 2/4.

The wooded buffer improves the scenic nature of our town center and preserves the rural character of our town.

In addition, I question why the property owner has been allowed to continue to trim and cut vegetation growing up in the buffer, and to add hard gravel material in excess of the four parking spots approved in the buffer zone. The county should enforce the buffer zone and allow vegetation to grow in the wooded area.

Thank you,

Robert Oursler

3017 Abington Manor Dr.
Huntingtown, MD 20639

March 30, 2014

Board of Calvert County Commissioners
County Services Plaza
150 Main St.
Prince Frederick, MD
20678

Dear County Commissioners,

I am against the request by Old Town Automobile and Truck to extend their business into the "wooded buffer" along Route 4 for the following reasons:

- Semantics aside, "wooded buffer", "buffer", "treed buffer" etc., I strongly believe it was the intent of those who developed their thoughts into "town centers" in 1993 that a strip of undeveloped land would separate Route 4 from the community of Huntingtown.
- Were there never had been a proposal to construct an overpass in 1993 I believe the "buffer" would have been extended to the northern property line of the Seven-Eleven.
- The owner knew of the existence of the buffer during his review of the site and its' restriction on development. During the permit process he requested and was granted an exemption in order to place four vehicles for display purposes - this should be the extent of incursion into the buffer.

Sincerely,

Frank B. Arbusto, Jr.

Mailing Address: 175 Main Street, Prince Frederick, Maryland 20678
Maryland Relay for Impaired Hearing or Speech: 1-800-735-2258

Proposed Changes to Huntingtown Master Plan and Zoning Ordinance Text Amendment #13-10

After attending the March 26th informational meeting on the proposed changes to the Huntingtown Master Plan and Zoning Ordinance, I am submitting the following comments for consideration:

Mark Davis, attorney for the property owner, while not indicating any specific intended use for the buffer, suggested that to accommodate visitors, additional parking was needed. I pass by that classic automobile business at various times of the day during the week and on weekends. I have never seen more than five vehicles in the parking area, and that was on a Saturday when the entrance gates were open. The gates are very rarely open on a day other than Saturday. The property owner may, in fact, want to expand the business by adding parking or showroom space. He may also want the ordinance amended to potentially improve the sale value of the property. Regardless, I believe the property owner should continue to operate under the terms of the original purchase agreement.

The original intent of creating the buffer, regardless of the type of vegetation, was to preclude development between the buffer line and the state right of way, thereby preventing the type of development taking place in other town centers, and retaining a little of the original rural character of the area. I believe the original intent is still valid and should be maintained.

If the Zoning Ordinance is amended to allow development in the existing buffer zone for one property owner, it would create a precedent by which all property owners could request and receive permission to develop within the entire buffer from the north end at Rt. 4 and Old Town Rd. to the southern intersection of Old Town Rd. with Rt. 4 at Cox Rd.

Therefore, I respectfully request that either Option A, No Change, or Option E, Extend Buffer be approved.

TEXT AMENDMENT CASE NO. 13-10
PROPOSED AMENDMENTS OF THE HUNTINGTOWN TOWN CENTER MASTER PLAN
MAP AND SECTION IV. E AND ARTICLE 5, SECTION 5-3 OF THE
HUNTINGTOWN MASTER PLAN AND ZONING ORDINANCE
**Re: Huntingtown Town Center Master Plan Map, Wooded Buffer and
Buffer Setback from MD 2/4**

CONSISTENCY WITH COMPREHENSIVE PLAN:

Pertinent sections of the 2010 Calvert County Comprehensive Plan include the following:

One of the 10 Visions: *“Our Town Centers are attractive, convenient, and interesting places to live, work and shop.”* (Page iv)

Chapter I: Land and Water: Land Use & Growth Management

Pertinent objectives include:

- Develop town centers as attractive, pleasant, and convenient places to live, work, and shop.
- Direct commercial and industrial uses to appropriate locations; provide necessary infrastructure. (Page 1)

“Town centers are the County’s primary designated growth areas and Priority Funding Areas, as per state regulations.” (Page 7)

“It is important to continue to promote a broad mix of commercial, office, residential, public, and quasi-public development within town centers as a means of promoting economic development, creating more local jobs, expanding cultural opportunities, reducing traffic congestion, preventing strip commercial development, providing a full range of housing opportunities, and providing convenient access to goods and services for County residents.” (Page 7)

Pertinent actions include:

Action I-18: “Continue to promote a broad mix of commercial, office, residential, public, and quasi-public development within town centers.” (Page 8)

Action I-22: “Continue to improve the appearance of town centers by emphasizing Town Center Master Plan Capital Improvements Projects and Architectural Review.” (Page 8)

Action I-24: “As Master Plans are revised, look for ways to preserve and enhance the unique character of each town center.” (Page 8)

“Town centers are the primary locations for most commercial uses except for farming and forestry. They promote business growth by providing infrastructure and enabling businesses to benefit from proximity to each other (agglomeration economies). They also promote business growth by providing attractive, mixed-use settings where offices, stores, restaurants, and homes are all within close proximity to each other. The strategy of directing commercial growth to town centers has been in effect since the adoption of the town center concept in the 1983 Comprehensive Plan. It has proven to be highly effective as a means of developing strong business growth.” (Page 8)

Action I-27: “Continue to direct commercial growth to town centers.” (Page 8)

Action I-29: “Promote strong business growth in town centers. Identify and implement ways to improve growth in town centers.” (Page 9)

Chapter III: Economy

Pertinent objectives include:

- Work with the private sector to provide employment opportunities for Calvert County residents, increase the commercial tax base, and increase the number of visitors to the County. In generating new business opportunities, continue to remain sensitive to the environment and responsive to community interests.
- Broaden Calvert County’s economy by strengthening the existing business base and attracting businesses that utilize the County’s well-educated labor force.
- Improve opportunities for visitors and tourism, retirement, leisure, and agriculture and aquaculture industries.
- Foster an economy based upon technology, administrative services, nonpolluting manufacturing, heritage/recreational/nature tourism, retirement, leisure, farming, and aquaculture.
- Ensure the provision of high-quality public facilities and services throughout the County, with an emphasis on those areas intended for business development. (Page 91)

“The following Economic Development policies should be used to guide County departments and agencies in implementing and attaining the economic development goals of the County:”

“Provide for adequate amounts of land for business development in appropriate locations in town centers and EC/TCs and seek to provide flexibility in zoning regulations as applied to business development.

Work to retain and expand local firms when such expansion is consistent with the goals and policies of this plan.”(Page 99)

Action III-9: Review County regulations that are not consistent with adopted goals and objectives and amend as appropriate. (Page 101)

**Calvert County
Board of County Commissioners
and Planning Commission**



**Proposed Amendments to the
Huntingtown Master Plan and Zoning Ordinance**



August 25, 2015 Public Hearing

**Text Amendment Case No. 13-10
Proposed Amendments to the
Huntingtown Master Plan and Zoning Ordinance**

The Master Plan text amendments propose to amend the Huntingtown Town Center Master Plan Map (Exhibit 8 and Figure 5) and a landscaping action. The zoning ordinance text amendments propose to amend the setbacks from roads.



Proposed Amendments

- Text amendment application submitted by Mark Davis on behalf of Oldtown Automobile and Truck Sales, Inc.



3

Proposed Map Amendments

Huntingtown Town Center Master Plan Map

- Exhibit 8
Huntingtown Town Center Master Plan Map
- Figure 5
Landscape Buffer



Existing map proposed to be removed



4

Proposed Map Amendments

Huntingtown Town Center Master Plan Map

- Exhibit 8
Huntingtown Town Center Master Plan Map
- Figure 5
Landscape Buffer



Proposed map

5

Proposed Master Plan Amendments

Preserve a 100 foot wooded buffer along the Town Center's frontage on MD 2/4 from the northern intersection with Old Town Road to **the northern boundary of Parcel 9 on Tax Map 18**, approximately **540 744** feet north of the southern intersection of Old Town Road with MD 2/4 (as measured from the southeast corner of Parcel 135 on Tax Map 18). This will buffer the town from MD 2/4, screen the rear of any new development along the east side of Old Town Road from MD 2/4, and preserve the attractive natural setting along MD 2/4.



6

Proposed Zoning Ordinance Amendments

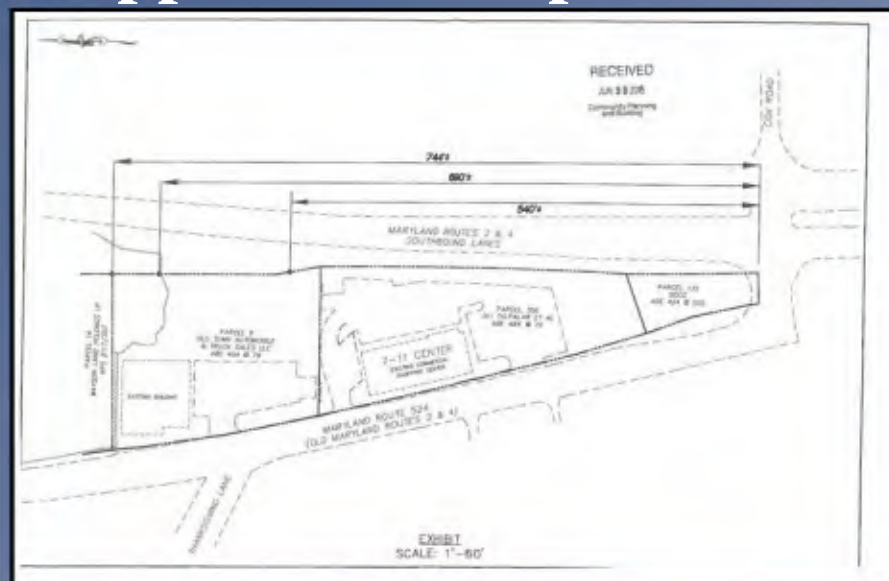
A 100 foot **wooded** buffer setback from MD 2/4 applies from the northern intersection ~~of~~**with** Old Town Road to ~~proposed over/underpass~~ **the northern boundary of Parcel 9 on Tax Map 18, approximately 744 feet north of the southern intersection of Old Town Road with MD 2/4 (as measured from the southeast corner of Parcel 135 on Tax Map 18).** ~~Natural vegetation shall be retained in this area.~~



7

Applicant's Map

Exhibit showing distance from northern boundary of applicant's property to southeast corner of Parcel 135



8

Comments

- Agency comments
- Public comments



9

Setbacks

Huntingtown Zoning Ordinance

100 foot	Wooded buffer setback from MD 2/4 for applicable properties
10 feet	Front Yard Setback, Principal Structures, Mixed Use District
0 feet	Front Yard Setback, Accessory Structures, Mixed Use District
35 feet	Setback for Parking Lot (Huntingtown refers to County ZO)



10

Consistency with 2010 Calvert County Comprehensive Plan

Land Use & Growth Management Objectives

- Develop town centers as attractive, pleasant and convenient places to live, work and shop
- Direct commercial and industrial uses to appropriate locations



11

Next Steps

- Public Comment
- Discussion
- Staff's concluding comments
- Action by Planning Commission
- Action by County Commissioners



12

Conclusion/Staff Recommendations

1. Decide whether to close the public record or keep it open.
2. Once the record is closed, take action on the proposed text amendments.

